

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA –THIRTY-THIRD MEETING

THURSDAY, MARCH 10, 2022
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Emergency Proclamation Related to COVID-19 (Omicron Variant) issued by Governor David Ige on January 26, 2022, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Blangiardi's Proclamation and Emergency Order No. 2022-01, executed on January 5, 2022. In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://us06web.zoom.us/j/81461590557>; by dialing 1-408-638-0968, entering the meeting ID#: 814 6159 0557#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

To provide the public with the best opportunity to observe the meeting, it is required to "mute" your device's microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, you may attend in person in Suite 600. While in Suite 600, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The regular minutes of the 28th (2/3/22), as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

- | | | |
|----|---|--|
| 1. | Appl. No. 20-21570 from
Ko Tiki LLC, dba Ko Tiki
LLC, 2425 Kuhio Avenue | For a Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing) (Prelim. Hrg. 1/13/22) |
| 2. | Appl. No. 21-23440 from
Cloroshko LLC, dba
Paco's Tacos Cantina
Kapolei, 4850 Kapolei
Parkway, #401/#402,
Kapolei | For a Restaurant General license
(Category No. 1 – Standard Bar)
(Prelim. Hrg. 1/13/22) |
| 3. | Appl. No. 22-23877 from
B Koncepts, LLC, dba
Studio B Social Lounge,
1200 Ala Moana
Boulevard, Space
B002224 (Ward Centre) | For a Cabaret General license
(Category No. 1 – Standard Bar)
(Prelim. Hrg. 1/13/22) |

LICENSE APPLICATIONS:

Special License Applications:

- | | | |
|----|---|---|
| 4. | Appl. No. 22-24424 from
Park Event Services LLC,
dba Park Event Services
LLC, 1 Aloha Tower Drive
(Aloha Tower Marketplace) | For a Special General license from
5:00 p.m. to 11:59 p.m. on Saturday,
March 26, 2022

(Ladies of the 80's Concert Event) |
| 5. | Appl. No. 22-24432 from
Park Event Services LLC,
dba Park Event Services
LLC, 1 Aloha Tower Drive
(Aloha Tower Marketplace) | For a Special General license from
5:00 p.m. to 11:59 p.m. on Friday,
April 22, 2022, and Saturday,
April 23, 2022

(KCCN Birthday Bash) |

LICENSE APPLICATIONS: (CONT.)

Special License Applications: (Cont.)

- | | | |
|----|---|--|
| 6. | Appl. No. 22-24452 from Saint Louis School, dba Saint Louis School, 3142 Waiālae Avenue | For a [Non-Profit] Special Beer & Wine license from 5:00 p.m. to 10:00 p.m. on Saturday, April 23, 2022

(Grape Escape Fundraiser) |
|----|---|--|

PRELIMINARY HEARINGS:

- | | | |
|----|--|--|
| 7. | Trans. Appl. No. 22-24059 from Hook'd Pan Roast LLC, dba Hook'd Pan Roast | For the transfer of the business and Dispenser General license (Category No. 4 – Hostess) of HNL Time Liquor LLC, dba Hook'd Pan Roast, 1035 Kapiolani Boulevard (E1271) |
| 8. | Appl. No. 21-23270 from H Mart Kakaako, LLC, dba H Mart, 850 Kamehameha Highway, Suite 230, Pearl City | For a Retail General license |
| 9. | Appl. No. 22-23774 from Café WBE LLC, dba Kakaako Market & Catering, 1001 Waimanu Street, Suite B | For a Retail General license |

REQUESTS:

- | | | |
|-----|--|---|
| 10. | Request No. 21-22785 from Senia LLC, dba Senia, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 75 North King Street (R1183) | Notification of a new member/manager and transfer of membership interests |
|-----|--|---|

REQUESTS: (CONT.)

- | | |
|---|---|
| 11. Request No. 22-24468 from Honolulu Museum of Arts, dba Honolulu Museum of Art, Restaurant Beer & Wine license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 900 South Beretania Street (R0158) | Requesting waiver of requirement to submit Personal History and Affidavit, Criminal History Record Clearance, and Fingerprint card for all subsequent officers and directors of the Board of Trustees

(Previous Request No. 20-20207 was approved on August 8, 2019 (for a period of three years) and will expire on August 8, 2022) |
| 12. Request No. 22-24487 from Ferguson’s Irish Pub LLC, dba Ferguson’s Irish Pub, Dispenser General license (Category No. 1 – Standard Bar), 729 Bishop Street (E0120) | Requesting approval to temporarily increase its licensed premises from Tuesday, March 15, 2022 through Wednesday, March 15, 2023, from 11:00 a.m. to 11:59 p.m. (daily)

(Previous Request No. 21-22854 was approved on March 4, 2021 (for the period of one year) and will expire on March 15, 2022) |
| 13. Request No. 22-24488 from Murphy’s Inc., dba Murphy’s Bar & Grill, Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing), 2 Merchant Street (R0887) | Requesting approval to temporarily increase its licensed premises from Tuesday, March 15, 2022 through Wednesday, March 15, 2023, from 6:00 a.m. to 11:59 p.m. (daily)

(Previous Request No. 21-22838 was approved on March 4, 2021 and expired on November 30, 2021) |

ADOPTION OF DECISION AND ORDER:

- | | |
|--|------------------------------------|
| 14. 8 Fat Fat 8 Bar & Grille (LCV 19-0132) (E0553) | For adoption of Decision and Order |
| 15. Beer Lab HI (LCV 21-0386) (R1443) | do. |

ADOPTION OF DECISION AND ORDER: (CONT.)

- | | For adoption of Decision and Order |
|---|------------------------------------|
| 16. Buho Cocina Y Cantina
(LCV 17-0230)
(R1075) | |
| 17. Buho Cocina Y Cantina
(LCV 21-0217)
(R1075) | do. |
| 18. Gyu-Kaku
(LCV 21-0400)
(R0671) | do. |
| 19. Hanks Café Honolulu
(LCV 21-0397)
(E1328) | do. |
| 20. Kaneohe Shell Food Mart
(LCV 20-0103)
(D0644) | do. |
| 21. Kaneohe Shell Food Mart
(LCV 20-0210)
(D0644) | do. |
| 22. Kaneohe Shell Food Mart
(LCV 21-0364)
(D0644) | do. |
| 23. Longs Drugs #9954
(LCV 21-0285)
(D0319) | do. |
| 24. Longs Drugs #7107
(LCV 21-0347)
(D1284) | do. |
| 25. Longs Drugs #9864
(LCV 21-0367)
(D0546) | do. |
| 26. Paradise Cove Luau
(LCV 21-0341)
(R0065) | do. |

ADOPTION OF DECISION AND ORDER: (CONT.)

- | | | |
|-----|---|------------------------------------|
| 27. | White Sands Hotel
(LCV 21-0403)
(L0068) | For adoption of Decision and Order |
| 28. | Workplay LLC
(LCV 20-0311)
(R1333) | do. |
| 29. | Workplay LLC
(LCV 21-0230)
(R1333) | do. |
| 30. | Workplay LLC
(LCV 21-0391)
(R1333) | do. |

ADJUDICATION HEARINGS:

- | | | |
|-----|--|---|
| 31. | Café Gangnam Karaoke
(LCV 20-0032)
(R0908) | Licensee failed to make time record entries at the time its employees reported on duty and again when the employees went off duty (Violation of Rule 3-82-38.4(b)) (Date of violation: On or about January 17, 2020) |
| 32. | Campbell Stop & Shop
(LCV 20-0258)
(D0408) | Licensee, without Commission approval, transferred its business to another entity, either openly or under any undisclosed arrangement, whereby such other person came into possession or control of the business, or took in any partner or associate (Violation of Section 281-41(h), HRS) (Date of violation: On or about July 24, 2020 and/or during the period between April 15, 2020 and October 30, 2020) |

ADJUDICATION HEARINGS: (CONT.)

33. Champs Hawaii Sports
Bar & Restaurant
(LCV 21-0435)
(R1114)

Licensee purchased, acquired, or sold liquor which Licensee purchased or acquired from a person or entity other than a licensed wholesaler (Violation of Section 281-31(t), HRS) (Date of violation: On or about June 11, 2021)

(Continued from February 10, 2022)

[History: *1/27/22, 2/10/22]

(*Rescheduled from January 27, 2022)

34. Club Boomerang
(LCV 20-0101)
(E0634)

Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within licensed premises before or after the hours established by the Commission (Violation of Rule: 3-82-38.20(b))(Date of violation: On or about March 14, 2020)

35. Club Spotlight
(LCV 20-0138)
(E1487)

Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about July 10, 2020)

36. The Nighthawk
(LCV 20-0020)
(T0244)
(nka R1403)

Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about January 4, 2020)

ADJUDICATION HEARINGS: (CONT.)

37. Noods Ramen Bar Inc.
(fka BIFA Seafood, Inc.)
(LCV 21-0157)
(R1229T)
(fka R1229)
- Licensee, without Commission approval, transferred its business to another entity, either openly or under any undisclosed arrangement, whereby such other person came into possession or control of the business, or took in any partner or associate (Violation of Section 281-41(h), HRS) (Date of violation: On or about April 13, 2020, and/or during the period between April 13, 2020 and March 9, 2021)
38. Shorefyre
(LCV 20-0027)
(R1366)
- Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about December 30, 2019)
39. Siam Square Authentic Thai Cuisine
(LCV 20-0112)
(R0898)
- Licensee failed to obtain approval from the Commission in writing prior to any change in ownership of twenty-five percent or more of the stock or any change in ownership resulting in the transferee becoming the owner of twenty-five percent or more of the outstanding stock (Violation of Section 281-41(i), HRS) (Date of violation: On or about January 31, 2020, and/or during the period between January 31, 2020, and February 4, 2020)
40. Sunflower Lounge
(LCV 20-0052)
(E1228)
- Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about February 21, 2020)

ADJUDICATION HEARINGS: (CONT.)

41. Sxy Szechuan
(LCV 21-0227)
(R1436)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2021-08 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about June 19, 2021)

(Continued from February 10, 2022)

[History: 12/23/21, 2/10/22]

42. Queen Kapiolani Hotel
(LCV 20-0018)
(L0034)

Licensee employed a person in that section of the licensed premises where liquor is sold, served, or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about December 19, 2019)

43. Queen Kapiolani Hotel
(LCV 20-0083)
(L0034)

Licensee permitted entertainment which caused complaints from the public or reports from the Commission's investigators indicating that sounds emanating from the licensed premises caused undue disturbance which disrupted the peace and quiet of the neighborhood (Violation of Rule 3-84-78.03(b)) (Date of violation: On or about March 10, 2020)

ADJUDICATION HEARINGS: (CONT.)

44. Agave & Vine, LLC
(LCV 20-0230)
(E1587)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, Emergency Order No. 2020-27 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about October 2, 2020)

(Continued from January 7, 2021)

OTHER BUSINESS: (CONT.)

45. Liquor Administrator

46. Liquor Administrator

Legislative update

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.

SUPPLEMENTAL LICENSING INVESTIGATIVE REPORT

Date: January 13, 2022

Subject: New Application No. 20-21570 from Ko Tiki LLC dba Ko Tiki LLC for a Hotel General license, requesting a change to new Restaurant General Category 2: Music/ Dancing license at 2425 Kuhio Avenue Honolulu, HI 96815

BACKGROUND:

On March 13, 2020, the applicant Ko Tiki LLC applied for a Hotel General liquor license.

On December 23, 2021, at Commission Hearing Ross Shinsato, Authorized agent, requested to change the type of class of license from Hotel General to Restaurant General Category 2: Music/ Dancing.

On December 27, 2021, Shinsato submitted a new application for a Restaurant General Category 2: Music/ Dancing liquor license.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises is located at 2425 Kuhio Avenue Honolulu, HI 96815, within Bamboo Waikiki Hotel.

- Total area approximately 111ft x 100ft, approximately 11,100 square feet, the ground floor courtyard area
- Kitchen is located in the bar area approximately 9ft x 15ft
- Bar area, approximately 19ft x 19ft, located near the pool
- Dance floor covering an area approximately 100ft x 94ft, encompassing the area of both the pool and bar areas.

See **Exhibit A** for floor plan.

SAME CLASS OF LICENSE WITHIN 500 FEET:

T Brothers International Inc. dba Hy's Steak House (R0031)
2440 Kuhio Ave. Honolulu, HI 96815
Approximately 265 feet from the proposed premises

SAME CLASS OF LICENSE WITHIN 500 FEET Continued:

Shorefyre Inc. dba Shore Fyre (R1076)
2246 Koa Ave. Honolulu, HI 96815
Approximately 362 feet from the proposed premises

Leahi Bar and Grill dba Leahi Bar and Grill (R0755)
2446 Koa Ave, Fl. 2 Honolulu, HI 96815
Approximately 362 feet from the proposed premises

Yanax Inc. dba Furusato Sushi (R0840)
2424 Kalakaua Ave. Honolulu, HI 96815
Approximately 427 feet from the proposed premises

Abe Investment Group Inc. dba Kirin Restaurant (R0282)
2424 Kakalaua Ave. #102 Honolulu, HI 96815
Approximately 461 feet from the proposed premises

Maruei Restaurant Ltd dba Tanaka of Tokyo East (R0020)
150 Kaiulani Ave. Honolulu, HI 96815
Approximately 428 feet from the proposed premises

WDI International Inc. dba Appetito Craft Pizza & Wine Bar (R1270)
150 Kaiulani Ave. Honolulu, HI 96815
Approximately 402 feet from the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of January 13, 2022, there are 539 Restaurant licenses issued within the City and County of Honolulu, of which 500 are General/ Kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of Business:

- Applicant will operate a Pool side restaurant/ bar providing meals, alcoholic and non-alcoholic beverages
- Hours of Operation: 7:00am to 10:00pm daily
- Applicant will employ a manager and 15-20 employees
- Applicant will have live Hawaiian Music

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY
AFFECT ISSUANCE OF THE LICENSE Continued:

- Dancing is reserved for special occasions

Exhibit B – Restaurant Menu

Restaurant Lease Agreement: According to an unexecuted Restaurant Lease Agreement between **The Association of Apartment Owners of Bamboo (Lessor)** and **Ko Tiki LLC dba Ko Tiki Terrace Bar and Grill Waikiki (Lessee)** was effected on December 15, 2018.

...demised and lease unto Lessee and Lessee hereby accepts and rents from Lessor, that certain space of **approximately 1,000 square feet**...referred to herein as the **“Pool Bar”**...

The term shall begin May 1, 2019, and end April 30, 2024, with the option to extend 2 terms of sixty (60) months each.

According to Ross Shinsato, Authorized agent, this Restaurant Lease Agreement has been **executed**, and the restaurant has been in operation for approximately 1 ½ years.

According to a letter dated December 23, 2021, from Renette Carpio, Director of Condominium Administration Castle Resorts & Hotels as Agent for Bamboo AOA, “acknowledge and gives approval and consent for Ko Tiki LLC (Applicant) to **obtain a liquor license** on the property at 2425 Kuhio Avenue **as authorized in the lease agreement** between Bamboo AOA and Ko Tiki LLC.”

There is a full kitchen for preparation of meals, it is the only restaurant in the hotel, and is expected to meet the 30% food sales requirement.

As of January 13, 2022, after multiple request for the executed lease to Shinsato, the Commission has not yet received a copy of the executed lease.

The exact conveyance of use of the proposed premises remains unclear as to whether or not the applicant can use the additional area of approximately 10,100 square feet (Ground floor courtyard/ pool area), for the sale, service, and consumption of liquor.

ISSUES WITH NEW APPLICATION:

ISSUE. According to Restaurant Lease Agreement the proposed premises is identified as **1,000 square feet**...referred to herein as the "Pool Bar".

According to Ross Shinsato, Authorized agent, submitted revised floor plan showing proposed licensed premises as the ground floor courtyard/pool area (Common area of the condominium) with a square footage of approximately **11,100 square feet**.

Further Shinsato indicated there were **no** revisions or amendments to the Restaurant Lease Agreement.

Exhibit C-1. Restaurant Lease Agreement pages 2 and 6.

Exhibit C-2. Letter of authorization from Renette Carpio, Director of Condominium Administration Castle Resorts & Hotels As Agent for Bamboo AOA.

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance must be submitted to the Commission prior to the issuance of this liquor license.

****No further information in this area refer to next page****

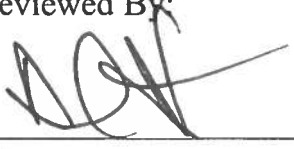
OPINION:

It is unclear whether or not the applicant has the proper right to use the proposed licensed area. The Commission has not received an executed lease or an explicate consent stating the use of the 10,100 square feet area as depicted by the floor plan attached to this request for the applicant's use and the sale, service or consumption of liquor.



Scott Perez,
Licensing Investigator

Reviewed By:



Daniel Sato,
Supervising Investigator

1/13/22
CH



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EXHIBIT A

LANDSCAPE DETAIL

RECEIVED
LIGOR COMMISSION
C OF HONOLULU
DEC 27 1962

12-11-2016

ALVIN - EVER ROCK

1- X 112, 124, 125

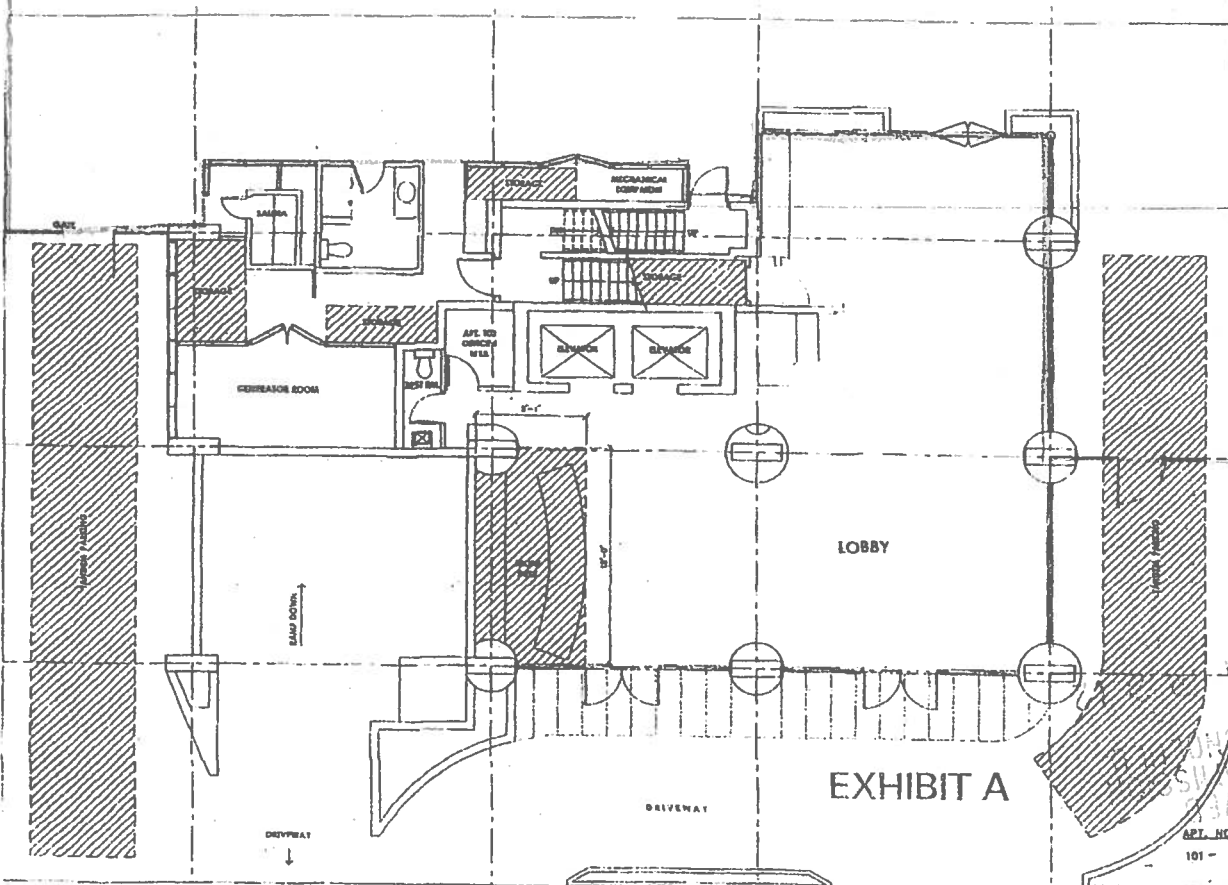


EXHIBIT A

RECEIVED
CARGO OF HANCOCK
2021 DEC 27
101 -
APL NO.

Ko'Tiki Terrace

POOLSIDE AT BAMBOO WAIKIKI HOTEL

PUPU'S / APPETIZERS

ISLAND FRIES / 6.50

Seasoned with a secret ingredient & served with house sauce

MAUI ONION RINGS / 6.50

Large air fried sweet onions served with house sauce

JAPANESE ARABIKI SAUSAGE / 6

Five fire smoked Japanese coarse pork sausage in sheep casings cut
and served with our house mustard sauce

VEGETARIAN SPRING ROLLS / 5

Five crispy & flaky rolls filled with cabbag, carrots and mushrooms
served with sweet & sour sauce

CHARCUTERIE BOARD / small 20 large 40

Assortment of cured meats,cheeses, crackers, olives & nuts

ENTREES

CHOOSE YOUR FAVORITE PROTEIN THEN
CUSTOMIZE YOUR OWN DISH BY MAKING IT A
PLATE (3 SIDES) OR A BOWL (1 SIDE)

STEAK (ala carte) 17 (bowl) 20 (plate) 23

SHRIMP (ala carte) 14 (bowl) 17 (plate) 20

FISH (ala carte) 14 (bowl) 17 (plate) 20

POKE (ala carte) 14 (bowl) 17 (plate) 20

CHICKEN (ala carte) 12 (bowl) 15 (plate) 18

TOFU (ala carte) 8 (bowl) 11 (plate) 14

SIDES / 3 each

white rice - potato mac salad - organic mixed green salad

SIGNATURE HOUSE SAUCES

WORLD FAMOUS GARLIC: Made with 12 ingredients that's strong
& sharp

SPICY GARLIC: The World Famous Sauce with spicy chili peppers
PINEAPPLE TERIYAKI: Sticky, sweet & tangy sauce infused with
local pineapple juice

MATSURI: A creamy sauce made with Japanese sake, ginger &
ponzu

FIJI CURRY: A bright yellow coconut sauce with a savory earthy
flavor

EXHIBIT B

RESTAURANT LEASE AGREEMENT

RECEIVED
LIQUOR COMMISSION
STATE OF HONOLULU
This Lease Agreement, executed on the dates shown by the signatures hereto and effective December 15, 2018 by and between THE ASSOCIATION OF APARTMENT OWNERS OF BAMBOO, located at 2425 Kuhio Avenue, Honolulu, Hawai'i 96815, whose 2018 office address is b/o Aqua-Aston Hospitality LLC, 2155 Kalakaua Avenue, 5th Floor, Honolulu, HI 96815-2354 (the "Lessor"), KO TIKI, LLC, {PO Box 8213 Honolulu, Hawai'i 96830, dba KO Tiki Terrace Bar and Grill Waikiki (the "Lessee"),

WITNESSETH:

WHEREAS, Lessor and Lessee wish to enter into a lease of that certain space located in the area described in Article XXV of the Amended and Restated Declaration of Condominium Property Regime of Bamboo recorded in the Bureau of Conveyances as Document No. 2001-054866 as the "Premises" and in the Supplementary Condominium Public Report as the Swimming Pool Lot as hereinafter set forth;

NOW, THEREFORE, in consideration of the premises and covenants set forth herein, Lessor and Lessee agree as follows:

Lessor, in consideration of the rent hereinafter reserved and the terms, covenants and conditions herein contained and on the part of the Lessee to be observed and performed, does hereby demise and lease unto Lessee and Lessee hereby accepts and rents from Lessor, that certain space of approximately 1,000 square feet located in the area as depicted on Exhibit "A" attached hereto and made a part hereof and sometimes referred to herein as the "Pool Bar", subject to all matters of record. Lessee shall also have a non-exclusive right to rear access gate and sidewalk from Prince Edward Street.

ARTICLE 1. TERM.

The term of this Lease shall be for five (5) years commencing on May 1st, 2019 and terminating on April 30, 2024. To the extent that Lessee is unable to obtain a liquor license without conditions and/or a building permit by April 30, 2019, Lessee shall have the right to elect to terminate this Lease, and Lessor shall reimburse Lessee all of the Security Deposit paid. Possession of Premises shall be December 15th, 2018.

Lessee not then being in default of any material term of this Lease at the time of exercise, Lessee shall have an option to extend this Lease for two (2) additional terms of sixty (60) months each on the same terms and conditions, by giving notice to Lessor no later than 180 days prior to the expiration date. The Mature Minimum Rent in the last year of the initial term of the Lease is considered to be \$3,000.00 per month. Accordingly, during the Option Term, the mature Minimum Rent of \$3,000.00 will increase annually in the same proportion as the percentage increase in consumer price index for all urban consumers (CPI-U) for Honolulu published by the U.S. Bureau of Labor Statistics, provided that if said index shall no longer be published, a comparable index published by the United States Government shall be used.

(i.) Common Area Expense. Lessee shall pay its share of the cost of ownership, operation, maintenance and management of the appropriate common areas of the hotel from May 1, 2019 and for the remaining term of this Lease. Lessee's share of such costs shall be \$12.00 per square foot per year for 1,000 total square feet of Lessee's Pool Bar and shall increase annually in the same proportion as the percentage increase in the Consumer Price Index for All Urban Consumers ("CPI-U") for Honolulu published by the U. S. Bureau of Labor Statistics (provided that if said index shall no longer be published, a comparable index published by the United States government shall be used).

Section 2.02. Payment of Rent. All rent shall be paid to Lessor at such place as shall be designated by Lessor without deduction or offset and without any notice or demand.

Section 2.03. Interest on Delinquent Payments. If any payment or payments called for under this Lease is not paid on the date due, Lessor shall have the right, without waiving any breach or default by the Lessee or any of its other rights herein, to demand and receive the unpaid sum, together with interest accrued thereon from the date of delinquency at the rate of one percent (1%) per month.

Section 2.04. Late Payment Charge. If Lessee should default in the payment of rent herein reserved or any part thereof, or any of the sums, costs, and expenses enumerated herein, and such default shall continue for a period of ten (10) days. Lessee shall pay to Lessor a "late charge" equal to the higher of 5% of the amount then due or \$50.00. Said "late charge" shall be in addition to any other remedy of the Lessor described herein, and acceptance by the Lessor of this "late charge" shall not waive or reduce any of the rights or remedies available to the Lessor under the terms, conditions, and covenants of this Lease.

ARTICLE 3. SECURITY DEPOSIT.

Section 3.01. Acknowledgment of Deposit. Upon execution of this Lease, Tenant shall deposit \$25,000.00 with Landlord to secure Tenant's performance under the lease agreement. To the extent that Tenant is not in default, the \$25,000.00 security deposit shall be applied to Lease rent commencing in the fifth (5th) lease year until fully applied; except that Landlord shall continue to hold one (1) month gross rent deposit, without interest, for the remaining Option Term of the lease agreement.

ARTICLE 4. ACCEPTANCE OF PREMISES.

Lessor has rented and Lessee hereby accepts the Pool Bar and utility service available to the Pool Bar "AS IS", WITHOUT WARRANTY OR REPRESENTATION, EXPRESSED OR IMPLIED, AS TO CONDITION OR FITNESS FOR ANY PURPOSE WHATSOEVER, the Lessee hereby affirming to the Lessor that the Lessee has had opportunity to inspect, and accepts the same in an "AS IS" condition and "WITH ALL FAULTS".

ARTICLE 5. MAINTENANCE AND REPAIR.

Lessee will keep the demised premises, including any loading or service areas and, together with other Lessees, all common walks in front of, beneath, or adjacent to the demised premises or any part thereof, and any loading or service areas for joint use of Lessee and others, and all other common areas and facilities for the use, benefit and enjoyment of Lessee and others.



2021 DEC 27 P 2:12

December 23, 2021

To whom it may concern,

I, Renette Carpio, an authorized representative of Castle Resorts and Hotels, and on behalf of the Bamboo Hotel management, serviced by Castle Resorts and Hotels, do hereby acknowledge and give approval and consent for Ko Tiki LLC to obtain a liquor license on the property at 2425 Kuhio Avenue as authorized in the lease agreement between the Bamboo AOA and Ko Tiki LLC.

Sincerely,

A handwritten signature in black ink that reads "Renette Carpio".

Renette Carpio, Director of Condominium Administration
Castle Resorts & Hotels
As Agent for Bamboo AOA

Corporate
3 Waterfront Plaza,
500 Ala Moana Blvd., Suite 555
Honolulu, HI 96813
Phone (808) 524-0900 / Fax (808) 524-9994

A division of Castle Hospitality Group
www.CastleHospitalityGroup.com

Accounting
590 Paiea Street, Suite C
Honolulu, HI 96819
Phone (808) 834-0623 / Fax (808) 839-9674

EXHIBIT C2

May 7th, 2021

Continued from

DEC 23 2021 to JAN 13 2022

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 JUN -3 P 12:29

Honolulu Liquor Commission
711 Kapiolani Blvd., Ste 600
Honolulu, HI 96813
Attn: Scott Perez, Licensing Investigator

Re: Liquor License Application for Ko Tiki LLC

Notice

Dear Investigator Perez,

The attached Notice was sent to all members of the Bamboo Association of Apartment Owners with regard to the Hotel Class Liquor License application of Ko Tiki LLC at the Bamboo Waikiki.

To date I have not received objections from any members of the Bamboo Association of Apartment Owners.

Sincerely,



Bruce N. Correll

Bamboo
AOAO President

To: All Members of the Bamboo Association of Apartment Owners:

2021 JUN -9 AM 8:50

The following notice is given to all members of the Bamboo AOA as a requirement per Honolulu Liquor for Ko Tiki's application for a Hotel Class Liquor License.

Generally, Honolulu Liquor Commission Investigators are given LIMITED access to each Unit within the Bamboo to investigate violations of liquor laws (Hawaii Revised Statutes or "HRS") or Rules of the Honolulu Liquor Commission. The following HRS sections are given to you for your review and knowledge. Again, the search and seizure power of Honolulu Liquor Commission Investigators is very limited to the sale and use (usually under age consumption of liquor).

§3-81-20. GENERAL RIGHT OF INSPECTION. Without notice, search warrant, or other legal process, a licensee shall provide an investigator immediate access to every part of the licensed premises for the purpose of making an examination or inspection thereof of items related to the licensee's compliance with the liquor laws or rules. Except as prohibited by laws governing confidential or protected information, said examination or inspection shall include, but not be limited to, any books and records of the licensee kept on the licensed premises which relate to the licensee's compliance with the liquor laws or rules. Items discovered during such examination or inspection shall be used for the purpose of enforcement of the liquor laws or rules.

§281-20 General right of inspection. Any investigator may, at all times, without notice and without any search warrant or other legal process, visit and have immediate access to every part of the premises of every licensee for the purpose of making any examination or inspection thereof or inquiry into the books and records therein, to ascertain whether all of the conditions of the license and all provisions of this chapter and chapter 244D are being complied with by the licensee. [L Sp 1933, c 40, §10; RL 1935, §2579; RL 1945, §7230; RL 1955, §159-19; HRS §281-20; am L 1986, c 344, §14; am L 1990, c 171, §7]

§281-79 Entry for examination; obstructing liquor commission operations; penalty. Every investigator shall, and any officer having police power may, at all reasonable times, and at any time whatsoever if there is any reasonable ground for suspicion that the conditions of any license are being violated, without warrant enter into and upon any licensed premises and inspect the same and every part thereof, and any books or records therein, to ascertain whether or not all conditions of the license and all provisions of this chapter and chapter 244D are being complied with by the licensee. July 2019 56 If any investigator or officer, or any person called by the investigator or officer to the investigator's or officer's aid, is threatened with the use of violence, force, or physical interference or obstacle, or is hindered, obstructed, or prevented by any licensee, the licensee's employees, or any other person from entering into any such premises, or whenever any investigator or officer is by any licensee, the licensee's employees, or any other person opposed, obstructed, or molested in the performance of the officer's duty in any respect, the licensee, the licensee's employee, or any other person shall be fined not more than \$2,000 or imprisoned not more than one year, or both. Whenever any investigator or officer, having demanded admittance into any licensed premises and declared the investigator's or officer's name and office, is not admitted by the licensee or the person in charge of the premises, it shall be lawful for the investigator or officer to forcibly and in any manner to break into and enter the premises.

[L Sp 1933, c 40, §49; RL 1935, §2618; RL 1945, §7267; RL 1955, §159-78; HRS §281-79; gen ch 1985; am L 1986, c 344, §15; am L 1990, c 171, §26]

The following deals with illegal liquor and not general inspection, but recognizes that dwelling is a special place.

§281-108 Search warrants; seizure. If any person makes complaint, supported by oath, before any district or circuit judge, setting forth facts sufficient to show probable cause that any liquor is being manufactured or kept or deposited for sale or distribution contrary to law within the judge's jurisdiction in any house, premises, or place, or that any such liquor is lodged or contained in any vehicle for transportation by land, water, or air, the judge shall issue a warrant, directed to any sheriff, chief of police, police officer, or investigator, commanding the sheriff, chief of police, police officer, or investigator to search the premises, place, or vehicle described in the complaint. If any intoxicating liquor is found therein under circumstances warranting the belief of the officer that it is being manufactured or is intended for sale or distribution contrary to law, the officer acting under the warrant shall seize and convey the liquor and any land vehicle in which the same is found to some place of security and keep the same until final action is had thereon. When, in case of any entry, it is found that liquor is there being manufactured contrary to this chapter the officer may likewise seize and convey the same to some place of security and keep it until final action is had thereon. [L Sp 1933, c 40, §67; RL 1935, §2635; RL 1945, §7287; RL 1955, §159- 105; HRS §281-108; am L 1970, c 188, §39; gen ch 1985; am L 1989, c 211, §10; am L 1990, c 171, §35 and c 281, §11]

§281-109 Seizure without warrant. (a) If any investigator or police officer has information which causes the investigator or police officer to believe that liquor is kept or deposited in any place mentioned in section 281-108, except a dwelling house, or is kept or concealed in any conveyance, container, baggage, or clothing which is in course of transportation along any highway, for sale or distribution contrary to law, and if the investigator or police officer has reason to believe that the delay which would be necessitated by the procurement of a search warrant would result in the loss, destruction, or concealment of the evidence of the violation of law, the investigator or police officer may forthwith, without such warrant, search the suspected place, vehicle, or container; and if the investigator or police officer there finds liquor and other evidence under circumstances warranting the belief July 2019 67 that it is intended for sale or distribution contrary to law, the investigator or police officer shall seize and convey the same, including any vehicle in which the same is found, to some place of security, and keep the same until final action is had thereon. The investigator or police officer shall forthwith, after the seizure, make written complaint under oath, setting forth the facts before a judge having competent jurisdiction. (b) Any evidence seized and conveyed may be kept until final action is had thereof. Should the introduction of a copy or picture of the seized evidence be permitted under the Hawaii rules of evidence, the original evidence may be returned to the appropriate party after such evidence is copied or photographed. [L Sp 1933, c 40, §68; RL 1935, §2636; RL 1945, §7288; RL 1955, §159- 106; HRS §281-109; am L 1970, c 188, §39; gen ch 1985; am L 1990, c 171, §36]

This notice to given to all Members of Bamboo AOA, that the Honolulu Liquor Commission Investigators is authorized to inspect the property as required for the sale and service of liquor.

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL licensing@hawaii.gov
 INTERNET ADDRESS: www.honolulu.gov/liquor

RECEIVED
 LIQUOR COMMISSION
 C&C OF HONOLULU

**LANDLORD AUTHORIZATION
 FOR SALE AND SERVICE OF LIQUOR**
 Rule 3-83-53.1

2020 JUN 15 A 10:12

Date: 02/22/2020

Landlord Name: Bamboo AOA

Mailing Address: 2425 Kuhio Ave.
Honolulu, Hawaii 96815

Landlord Contact Name: Bruce N. Correll Title: AOAO President

Bus. #: _____ Mobile #: _____ Email: _____

I AUTHORIZE:

Applicant Name: KO TIKI LLC

Trade Name (DBA): Aqua Bamboo Waikiki

to sell and serve liquor at 2425 & 2415 Kuhio Ave., 2418 & 2426 Prince Edward St.
 Address

Date(s) of Event: N/A

Start Time: N/A End Time: N/A

Furthermore, I authorize Honolulu Liquor Commission Investigators to inspect the property as required for the sale and service of liquor.

Comments: Bamboo AOA consents to Applicant's application as follows: 1) to obtain a hotel license; 2) license the entire hotel building and property; and 3) to sell liquor for consumption on the hotel premises.


 SIGNATURE Landlord

2/22/2020
 DATE

Bruce N. Correll
 PRINT NAME Landlord

AOAO President
 TITLE

For HLC Office Use Only

LCIS ENTRY DATE: _____ HLC STAFF INITIAL: _____

December 22, 2021

TO: HONOLULU LIQUOR COMMISSION

FROM: KO TIKI LLC

SUBJECT: RESPONSE TO INVESTIGATOR CONCERNS REGARDING APPL. NO. 20-21570

Attached is KO TIKI LLC response to the investigator's concerns regarding a Hotel license application from KO TIKI LLC. Our responses are italicized.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ross Shinsato', with a horizontal line extending from the end of the signature.

ROSS SHINSATO-AGENT

ISSUE #1. Applicant will only provide food and beverage service to the hotel. This application is for a hotel general license, further indicated to license the entire hotel property.

KO TIKI will run the food and beverage operation only for the hotel. Neither KO TIKI or its employees will be involved in the other hotel operations. Neither Castle Resorts or its employees will be involved with the sale of liquor or the delivery of liquor to KO TIKI customers.

KO TIKI will be the license holder and will be the entity that will be selling liquor on the hotel premises. It will be responsible for requirements of a liquor license holder. It will purchase liquor, sell liquor, and realize revenue from liquor sales and food sales. Castle Resorts, the current hotel operator, will not be involved with the food and beverage segment of the hotel.

There will not be room service of liquor. Customers will need to pick up liquor at the restaurant.

ISSUE #2. According to the submitted documents by the applicant, which states their conveyance of use of a "Pool Bar" as the premises and not the hotel. Additionally, the agreement states the applicant to apply for a restaurant liquor license with entertainment. This agreement further indicates that the proposed premises is a condominium, managed by Aqua-Aston Hospitality as a resort.

The hotel manager has changed to Castle Resorts. Exhibit C-3 LANDLORD AUTHORIZATION FOR SALE AND SERVICE OF LIQUOR. Landlord consents to KO TIKI obtaining a Hotel liquor license to sell liquor for consumption on the hotel premises.

ISSUE #3. The landlord authorization submitted is from Bamboo AOAO, which is a condominium association. The proposed licensed premises is zoned for a condominium property. The hotel rooms identified in this application are privately owned by various owners. Individual unit owners have not submitted any approvals for the proposed sale or consumption of liquor within their property.

AOAO has notified all owners of the application to license the entire hotel under a Hotel license. There have been no objections to the intent to license the hotel including the individual units.

ISSUE #4. The applicant has landlord consent from the Association Board President to consent of the use of the entire hotel property, however each individual unit is privately owned. Additionally, the applicant does not have any exclusive possession and control of the hotel operations or the hotel's business, as the hotel is already being managed and operated by Aqua-Aston Hospitality. The applicant's application for the proposed class of license (Hotel) based on the applicant's business plan and description of its business would not meet the definition of hotel under HRS §281-1.

The hotel manager has changed to Castle Resorts. We are working on obtaining written permission from Castle Resorts consenting to KO TIKI selling liquor on the hotel property.

According to Rules of the Commission §3-82-31.2 Conduct of Business. (a), Licensees are prohibited from conducting any business except as authorized by the Commission.

KO TIKI will be only conducting business that is authorized by the Liquor Commission Rules and HRS.

Additionally subsection (b) any licensee failing to operate its business in compliance with its authorized class or category or ceasing to provide an activity permitted by its class or category may be reclassified or re-categorized by the Commission after notice and hearing in conformance with Chapter 91, Hawaii Revised Statutes.

Should any conditions change, KO TIKI will promptly notify the Honolulu Liquor Commission.

Under Hawaii Revised Statutes §281-1 "Hotel" means an establishment consisting of one or more buildings which contain such number of rooms as may be prescribed by the commission and in which rooms sleeping accommodations are provided and offered for adequate pay to transient or permanent guests.

Additionally under HRS §281-1, "Premises" or "Licensed premises" means the building and property that houses the establishment for which a license has been or is proposed to be issued; provided that in the case of class 12 hotel license, "premises" includes the hotel premises.

The Hotel establishment has 94 guest rooms and meets the number of rooms required by Liquor Commission Rule and provides and offers rooms with sleeping accommodations for adequate pay to transient or permanent guests.

KO TIKI will be including the entire hotel (except parking level and driveways) as the licensed premises.

Pursuant to HLC Rule §3-82-38.12; Requirements of a Hotel License. (a) Minimum requirements for a hotel license shall be an establishment consisting of one or more buildings containing at least fifty hotel guest rooms. Hotel licensees providing off-premises catering services shall have a kitchen approved by the Commission and located within the hotel property. Room service, self-service and service at private parties in areas which are the property and contiguous to the hotel are permitted.

The hotel has at least 50 hotel guest rooms and meets minimum requirements for a hotel license. KO TIKI has a full kitchen within the proposed licensed premises. There will be no room service of liquor or self service (mini bars) in the individual rooms.

LICENSING INVESTIGATIVE REPORT

DATE: December 13, 2021

SUBJECT: New Application No. 20-21570 from Ko Tiki LLC dba Ko Tiki LLC for a
Hotel General license at 2425 Kuhio Avenue Honolulu, HI 96815

LIMITED LIABILITY COMPANY STRUCTURE:

Ko Tiki LLC: was organized under the laws of the State of Hawaii on November 2, 2018 as a member-managed limited liability company.

February 21, 2020, changed from member-manager to manager-managed.
The Managers/ Members are:

	<u>Title</u>	<u>Ownership</u>
<u>Monaghan, Samuel</u>	<u>Manager/ Member</u>	<u>100%</u>
		100%

See **Exhibit A** for Personal History Affidavit of Samuel Monaghan. CJIS computer checks show no felony convictions.

FINGERPRINTS:

Samuel Monaghan was fingerprinted on June 21, 2021. HCJDC/ FBI Checks show negative for felony convictions.

FINANCIAL STATEMENT OF KO TIKI LLC, AS OF MARCH 9, 2020:

Applicant submitted a Financial Statement dated March 9, 2020, and corporate bank account statement was received by the Commission March 13, 2020, and was certified by the applicant to be substantially covered.

COST AND FINANCING:

According to the applicant \$400,000.00 has been spent on improvements and equipment have contribute funds to pay for the expenses.

TRADE NAME:

According to the Authorized Agent applicant intends to use its Company name "Ko Tiki LLC".

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed licensed premises, identified as Bamboo Waikiki Hotel is located at 2425 Kuhio Avenue Honolulu, HI 96815.

- The hotel covers an area 134ft x 106ft, approximately 14,204 square feet
- There are a total of 96 rooms.
 - 94 guest rooms
 - 2 used for Storage/ Housekeeping
- Kitchen is located in the bar area approximately 9ft x 15ft
- Bar area, approximately 19ft x 19ft, located near the pool
- Dance floor covering an area approximately 100ft x 94ft, encompassing the area of both the pool and bar areas.
- ***NOTE:** The proposed licensed premises is zoned for a condominium property. **The hotel rooms identified in this application are privately owned. Individual unit owners have not submitted any approvals for the proposed sale service or consumption.** For further information refer to the issues with new application heading.

See **Exhibit B** for floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

None.

SAME CLASS OF LICENSE WITHIN 500 FEET:

Waikiki Resort Hotel, Inc.
dba Waikiki Resort Hotel (L0036)
2460 Koa Ave. Honolulu, HI 96815
Approximately 320 feet from the proposed premises

SAME CLASS OF LICENSE WITHIN 500 FEET Continued:

Outrigger Hotels Hawaii
dba Ohana East (L0056)
150 Kaiulani Ave. Honolulu, HI 96815
Approximately 360 feet from the proposed premises

Kyo-ya Kaiulani, LLC
dba Princess Kaiulani Hotel (L0028)
120 Kaiulani Ave. Honolulu, HI 96815
Approximately 363 feet from the proposed premises

Kowa Waikiki, LLC
Espacio The Jewel of Waikiki (L0065)
2452 Kalakaua Ave. Honolulu, HI 96815
Approximately 437 feet from the proposed premises

Hyatt Corporation
dba Hyatt Regency Waikiki Beach Resort and Spa (L0006)
2424 Kalakaua Ave. Honolulu, HI 96815
Approximately 484 feet from the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of December 13, 2021, there are 49 Hotel General/ Kind licenses issued within the City and County of Honolulu.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of Business:

- Applicant **will** provide food and beverage service to the hotel.
 - Operate the **Pool Bar**
 - Conducting restaurant operations
 - Prep food
 - Serve food and beverages
- “No room service will be provided: Guest will need to come down to the bar to order liquor and to be served liquor.”
- Hours of Operation: 7:00am to 10:00pm daily

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT
ISSUANCE OF THE LICENSE Continued:

Kind of Business Continued:

- Applicant will only employ a manager and 15-20 additional employees
 - Will be restaurant employees of Ko Tiki LLC
 - Will perform duties of restaurant operation
- Applicant will have live Hawaiian Music
- Dancing will not happen daily, and is reserved for special occasions

Restaurant Lease Agreement: According to an unexecuted Restaurant Lease Agreement between **The Association of Apartment Owners of Bamboo (Lessor)** and **Ko Tiki LLC dba Ko Tiki Terrace Bar and Grill Waikiki (Lessee)** was effected on December 15, 2018.

...demised and lease unto Lessee and Lessee hereby accepts and rents from Lessor, that certain space of **approximately 1,000 square feet**...referred to herein as the **“Pool Bar”**...

The term shall begin May 1, 2019, and end April 30, 2024, with the option to extend 2 terms of sixty (60) months each.

According to Ross Shinsato, Authorized agent, this Restaurant Lease Agreement has been **executed**.

ISSUES WITH NEW APPLICATION:

ISSUE #1. Applicant will only provide food and beverage service to the hotel. **This application is for a hotel general license, further indicated to license the entire hotel property.**

According to authorized agent Shinsato, the applicant does not have control over the hotel operations or the hotel's employees

Exhibit C-1. In an email dated October 25, 2021, authorized agent Ross Shinsato, represented to the Commission that Ko Tiki LLC will perform duties of the restaurant operations. They will prep food, serve food and beverages and other duties for a food and beverage operation. Additionally, Ko Tiki will provide food and beverage service for the hotel. Shinsato added that Ko Tiki, will not work at the front desk, do housekeeping or provide bell service.

ISSUES WITH NEW APPLICATION Continued:

Exhibit C-1, Continued. In the same email, November 8, 2021, Shinsato responded to the Commission that the applicant will exclusively operate food and beverage services only and **Castle Resorts will be providing the other hotel services to its guests (front guest, room service, housekeeping, or provide bell service).** According to the email, the **applicant will also not dictate and give guidance regarding the hotel daily operations.** Shinsato added that the hotel operations and employees will not be staffed by the applicant Ko Tiki LLC.

ISSUE #2. According to the submitted documents by the applicant, which states their conveyance of use of a “Pool Bar” as the premises and not the hotel. Additionally, the agreement states the applicant to apply for a restaurant liquor license with entertainment. **This agreement further indicates that the proposed premises is a condominium, managed by Aqua-Aston Hospitality as a resort.**

Exhibit C-2. According to the applicant’s submission of an unexecuted “Restaurant Lease Agreement”, effective December 15, 2018, by and between The Association of Apartment Owners of Bamboo (Lessor) and **Ko Tiki LLC (Lessee)**, states per Article 7. Use of Premises, Lessee (Ko Tiki LLC/ Applicant) will use the Pool Bar during the term hereof for the sole purpose of food and beverage service with live entertainment and related retail, and for no other purpose without Lessor’s prior written consents and grants Lessee the non-exclusive use of the Pool Bar and surrounding common area to serve food, liquor and beverages, and related retail. Accordingly, Lessor grants **Lessee the right to apply for a restaurant liquor license with entertainment, and the right to serve the hotel.**

Under the agreement subsection, e...**Lessee’s use of the Pool Bar shall be subject to the Declaration of Condominium Property Regime, the Bylaws and House Rules of the Project and to applicable laws, as they may change from time to time.** Lessee acknowledges that Lessee has had an opportunity to investigate the applicable laws, and zoning restrictions covering the demised Pool Bar.

ISSUES WITH NEW APPLICATION Continued:

Exhibit C-2 Continued: In Article 35, titled, "Special Conditions", of the restaurant Lease Agreement, the Lessee is aware that the Bamboo is a condominium, managed by Aqua-Aston Hospitality as a resort, subject to compliance with all laws, ordinances and regulations of the City and County of Honolulu and / or State of Hawaii and/ or Federal laws which may be applicable.

ISSUE #3. The landlord authorization submitted is from Bamboo AOA, which is a condominium association. **The proposed licensed premises is zoned for a condominium property. The hotel rooms identified in this application are privately owned by various owners. Individual unit owners have not submitted any approvals for the proposed sale or consumption of liquor within their property.**

Exhibit C-3. According to the applicant's submission of HLC Form LIQ-LIC-142 Landlord Authorization for Sale and Service of Liquor, Bamboo AOA's Board President Bruce Cornell, consents to the applicant's application, to obtain a hotel license, to license entire hotel building and property, and to sell liquor for consumption.

Exhibit C -4. According to the applicant's submission, Bruce Cornell submitted a letter to the Commission dated May 7, 2021, and received by the Commission on June 3, 2021, stating that a notice was sent to all members of the Bamboo Association of Apartment Owners with regard to the Hotel Class Liquor License application of Ko Tiki LLC. It further stated, **"To date I have not received objections from any member of the Bamboo Association of Apartment Owners."**

ISSUE #4. The applicant has landlord consent from the Association Board President to consent of the use of the entire hotel property, however each individual unit is privately owned. Additionally, the applicant does not have any exclusive possession and control of the hotel operations or the hotel's business, as the hotel is already being managed and operated by Aqua-Aston Hospitality. The applicant's application for the proposed class of license (Hotel) based on the applicant's business plan and description of its business would not meet the definition of hotel under HRS §281-1.

According to Rules of the Commission §3-82-31.2 Conduct of Business.
(a), **Licensees are prohibited from conducting any business except as authorized by the Commission.**

ISSUES WITH NEW APPLICATION Continued:

ISSUE #4 Continued. Additionally subsection (b) **any licensee failing to operate its business in compliance with its authorized class or category or ceasing to provide an activity permitted by its class or category** may be reclassified or re-categorized by the Commission after notice and hearing in conformance with Chapter 91, Hawaii Revised Statutes.

Under Hawaii Revised Statutes §281-1 “Hotel” means an establishment consisting of one or more buildings **which contain such number of rooms as may be prescribed by the commission and in which rooms sleeping accommodations are provided and offered for adequate pay to transient or permanent guests.**

Additionally under HRS §281-1, “Premises” or “Licensed premises” means the building and property that houses the establishment for which a license has been or is proposed to be issued; **provided that in the case of class 12 hotel license, “premises” includes the hotel premises.**

Pursuant to HLC Rule §3-82-38.12; Requirements of a Hotel License. (a) Minimum requirements for a hotel license shall be an establishment consisting of one or more buildings containing at least fifty hotel guest rooms. Hotel licensees providing off-premises catering services shall have a kitchen approved by the Commission and located within the hotel property. Room service, self-service and service at private parties in areas which are the property and contiguous to the hotel are permitted.

Summary of issues:

Based on the following aforementioned issues, the applicant Ko Tiki LLC, does not meet the following requirements for a hotel general license as stated below:

- Aqua-Aston Hospitality is the hotel operator on the property
- Aqua-Aston Hospitality is providing the hotel service to its guest (Front desk, room service, housekeeping, or provide bell service)
- The applicant (Ko Tiki LLC) **will not** dictate or give guidance regarding the hotels daily operations.
- The proposed premises, Bamboo is a condominium, managed by Aqua-Aston Hospitality as a resort.

ISSUES WITH NEW APPLICATION Continued:

Summary of issues continued:

- Hotel rooms identified in this application are privately owned by various owners. It is **unknown if the sale, service, and consumption of liquor is allowed within each privately owned unit.**
- Individual unit owners have not submitted any approvals for the proposed sale or consumption of liquor within their property
- Ko Tiki LLC's business is not to operate the hotel.
- Ko Tiki LLC **will not** have control to guest rooms and would be unable to provide rooms for sleeping accommodations for adequate pay to transient or permanent guest.

ZONING CLEARANCE:

A valid Department of Planning and Permitting zoning clearance dated March 19, 2020, was received by the Commission on June 15, 2020.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

As of December 13, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

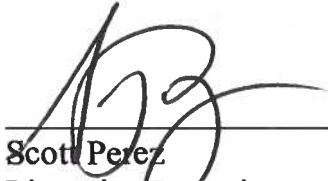
NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:


In my opinion it appears that the applicant does **not** meet the requirements for a hotel liquor license, based on the following:

1. Ko Tiki LLC (Applicant) will **only provide Food and beverage services** within the hotel, and **not** daily hotel operations.
2. Article 35. States "**Lessee is aware that the Bamboo is a condominium, managed by Aqua-Aston hospitality as a Resort.**"
3. The applicant has an **executed Restaurant Lease Agreement** identifying Lessor allowing the applicant to **apply for a Restaurant Liquor License**, for the space identified as **1,000 square foot Pool Bar**.
4. Per HLC Rule §3-82-38.12, Requirements of a Hotel License; the applicant does not meet the requirements of a Hotel liquor license.



Scott Perez
Licensing Investigator

Reviewed by:

 12/13/2021

Daniel Sato
Supervising Investigator wh

RECEIVED
LIQUOR COMMISSION
C.C.O. OF HONOLULU

2020 MAR 13 A 10:45

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME MONAGHAN SAMUEL N/A SOCIAL SECURITY NO. _____
Last, First Middle Maiden
HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
CITY _____ STATE _____ ZIP CODE _____ BUS. _____
PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City, State) (MM/DD/YYYY)
NO. OF YEARS COMPLETED IN HIGH SCHOOL _____ YEAR COMPLETED 1997 NAME OF SCHOOL YOKOHAMA INTERNATIONAL CHRISTIAN ACADEMY
(Include City and State)
NO. OF YEARS COMPLETED IN COLLEGE 2 YEAR COMPLETED 1999 NAME OF COLLEGE INDIAN RIVER COMMUNITY COLLEGE, VERO BEACH, FLORIDA
(Include City and State)
OTHER EDUCATION _____

CITIZENSHIP* U.S. CITIZEN DATE ARRIVED IN HAWAII (if applicable) _____
*(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1999/8	2000/8	TOUR GUIDE	K.S. HAWAII	WAIKIKI
2000/9	2001/5	ART SALES	CHRISTIAN LASSEN	WAIKIKI
2001/11	2003/4	ART SALES	DIAMOND HEAD GALLERY	WAIKIKI
2004/5	2006/6	ART SALES	WYLAND GALLERY	WAIKIKI
2006/7	2007/1	BUSINESS CONSULTANT	DORM TECH HAWAII	WAIKIKI
2007/1	2007/6	VOLUNTEER	HOKULEA/JAPAN VOYAGE	WAIKIKI
2007/8	2009/6	ART SALES	PETER LIK GALLERY	WAIKIKI
2009/7	2014/7	SELF EMPLOYED	LUNCH WAGON	WAIKIKI
2014/8	2016/8	KAPAHULU SAM'S KITCHEN		KAPAHULU
2016/9	2018/12	SAM'S KITCHEN		WAIKIKI
2019/01	TO PRESENT	SAME COMPANY	PLATE LUNCH	WAIKIKI
(2001 ~ PRESENT) OCCASIONAL T.V. HOST FOR TRAVEL SHOW				

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: UP TO THIS MOMENT I HAVE FOCUSED
ON FAST FOOD SERVICE. I HAVE COMPLETED A NEW
BUSINESS WITH SEVERAL INVESTORS AND HOPE TO SERVE
ALCOHOL TO BOTH THE NEW RESTAURANT AND ENCOMPASSING
HOTEL. WE WILL HIRE PROFESSIONAL BAR TENDERS &
MIXOLOGISTS.

Will you devote time to manage the subject business? ☒ Yes ☐ No

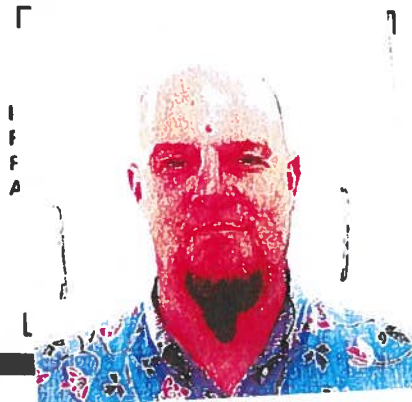
If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, SAMUEL MONAGHAN, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not been convicted of any felony charge.

Signature



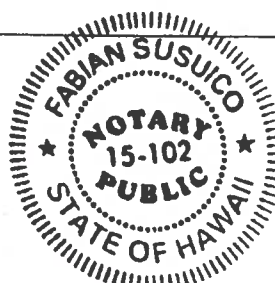
FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

SS.

On this 19th day of Feb. in the year of 2020, personally appeared Samuel Monaghan
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in
his/her/their authorized capacity(ies) and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the
aforementioned instrument in free act and deed

Subscribed and sworn to before me on this <u>19th</u> day of <u>Feb.</u> , 20 <u>20</u>		NOTARY CERTIFICATION Date of Doc <u>2/19/2020</u> # of Pages <u>2</u> Notary Name <u>Fabian Susuico</u> Circuit <u>1</u> Doc. Description <u>Personal History Affidavit</u>	
Print Name <u>Fabian Susuico</u> Notary Public, State of Hawaii My commission expires <u>03/15/2023</u>		Notary Signature _____ Date <u>2/19/2020</u> (Place Notary Stamp or Seal here)	



Jacuzzi



NO. 2 THE BAMBOO

0440
MELB - JIMMIE
SAP

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C & C OF HONOLULU

2020 MAR 13 A 10: 58

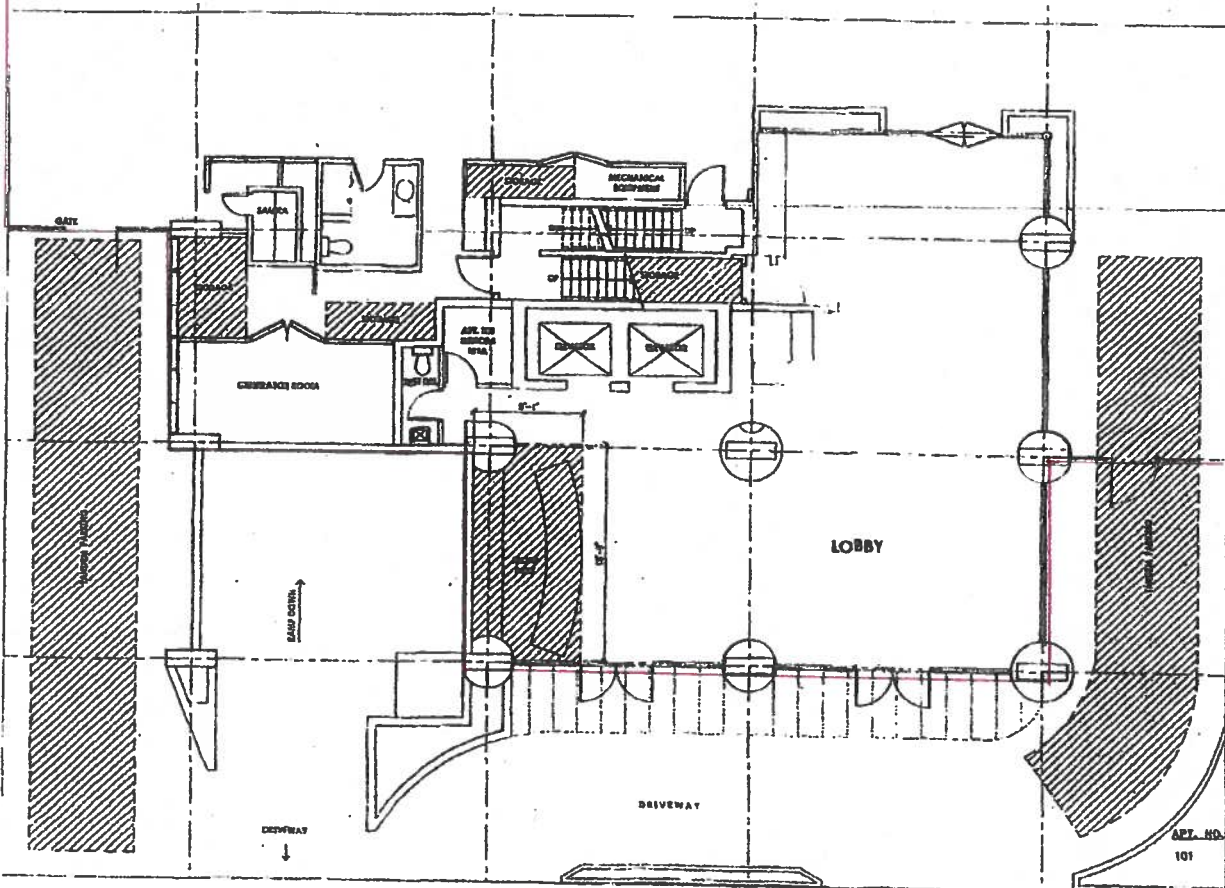
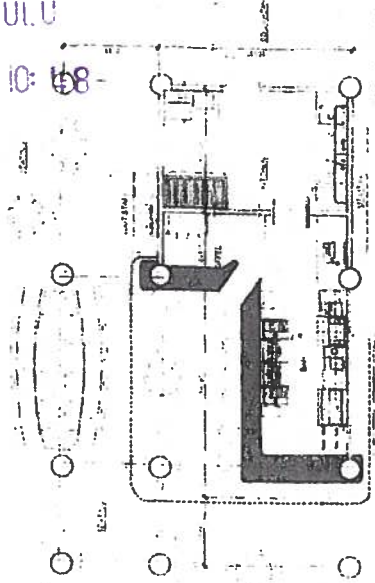


EXHIBIT B

101
PLOT PLAN

2020 MAR 13 A 4:45



APR. 17,	TYPE	WATER AREA	LAWN AREA
201	2-L	350 S.F.	48'-x-45'-73 S.F.
202	2B	289 S.F.	49 S.F.
203	2CR	206 S.F.	40'-x-45'-30 S.F.
204	2C	434 S.F.	
205	2A	318 S.F.	40 S.F.
206	2CR	510 S.F.	40'-x-45'-30 S.F.
207	2E	404 S.F.	49 S.F.
208	2B	296 S.F.	40 S.F.
209	2F	266 S.F.	45'-x-45'-30 S.F.
210	2G	350 S.F.	

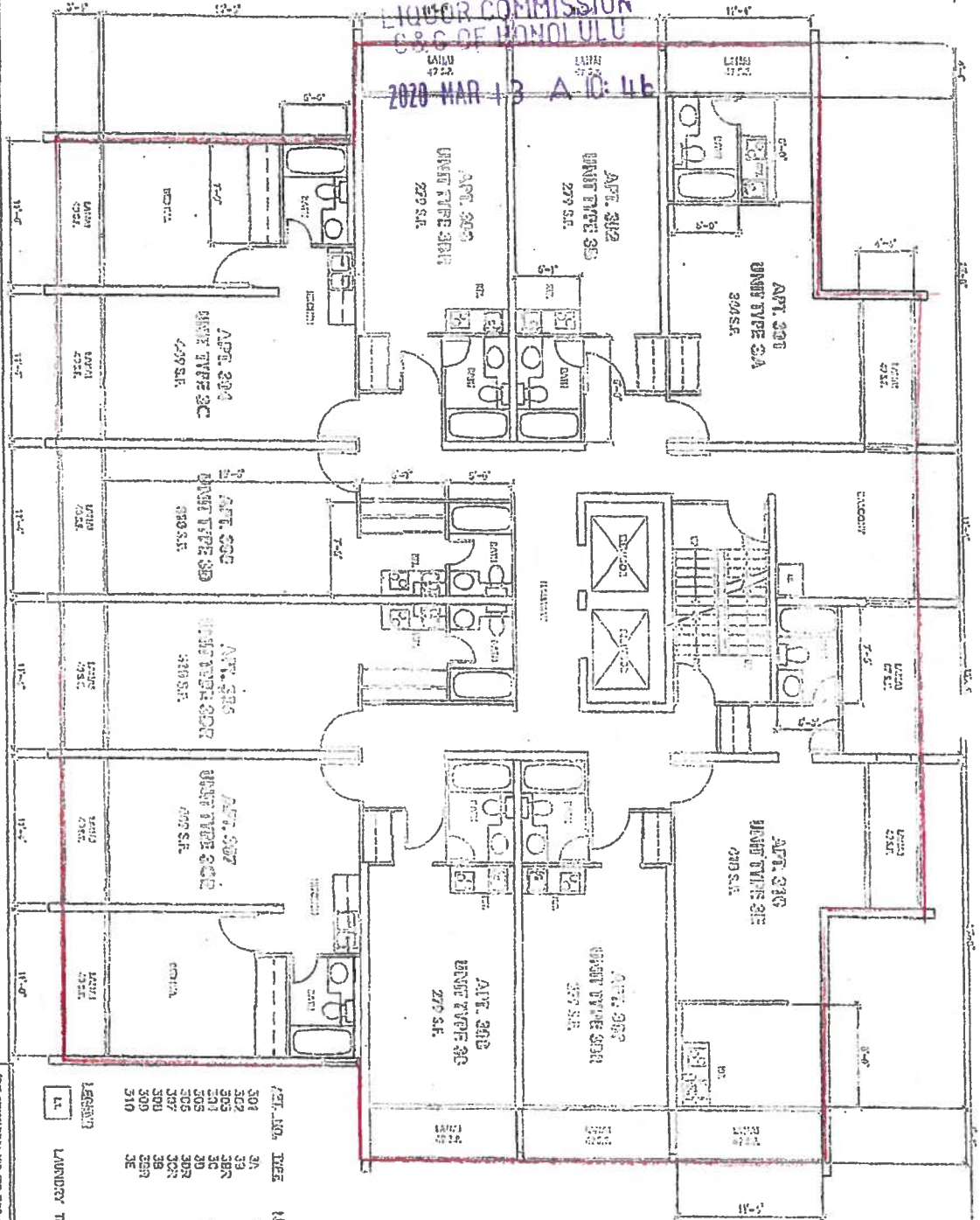
LEGEND

LAUNDRY TRAY

THE SECOND REASON FOR:	
INVESTING CREDIT	
DATE: OCT. 10, 2008	
CREDIT: INT.	
DEBIT: 50	
CHECKED: 50	
DEPOSITED: 100	
DATE: 4 OCT 2008	

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S&C OF HONOLULU

2020 MAR 13 A 10:46



FLOOR PLAN
REVISION 1

THIS DOCUMENT IS THE PROPERTY OF THE ARCHITECT. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. ANY VIOLATION OF THESE TERMS SHALL BE SUBJECT TO CRIMINAL AND CIVIL PENALTIES ON VIOLATION THEREOF.

LEGEND
LAUNDRY TRAY

APT. NO.	TYPE	LAUNDRY AREA	LAUNDRY AREA
301	2A	3-4 S.F.	19'-0" x 6'-0" S.F.
302	3A	2-2 S.F.	40 S.F.
303	3B	2-2 S.F.	40 S.F.
304	3C	2-2 S.F.	40'-0" x 19 S.F.
305	3D	3-10 S.F.	40 S.F.
306	3E	3-10 S.F.	40 S.F.
307	3F	4-9 S.F.	40'-0" x 19 S.F.
308	3G	2-2 S.F.	40 S.F.
309	3H	2-2 S.F.	40 S.F.
310	3I	2-2 S.F.	40'-0" x 19 S.F.

EXHIBIT B

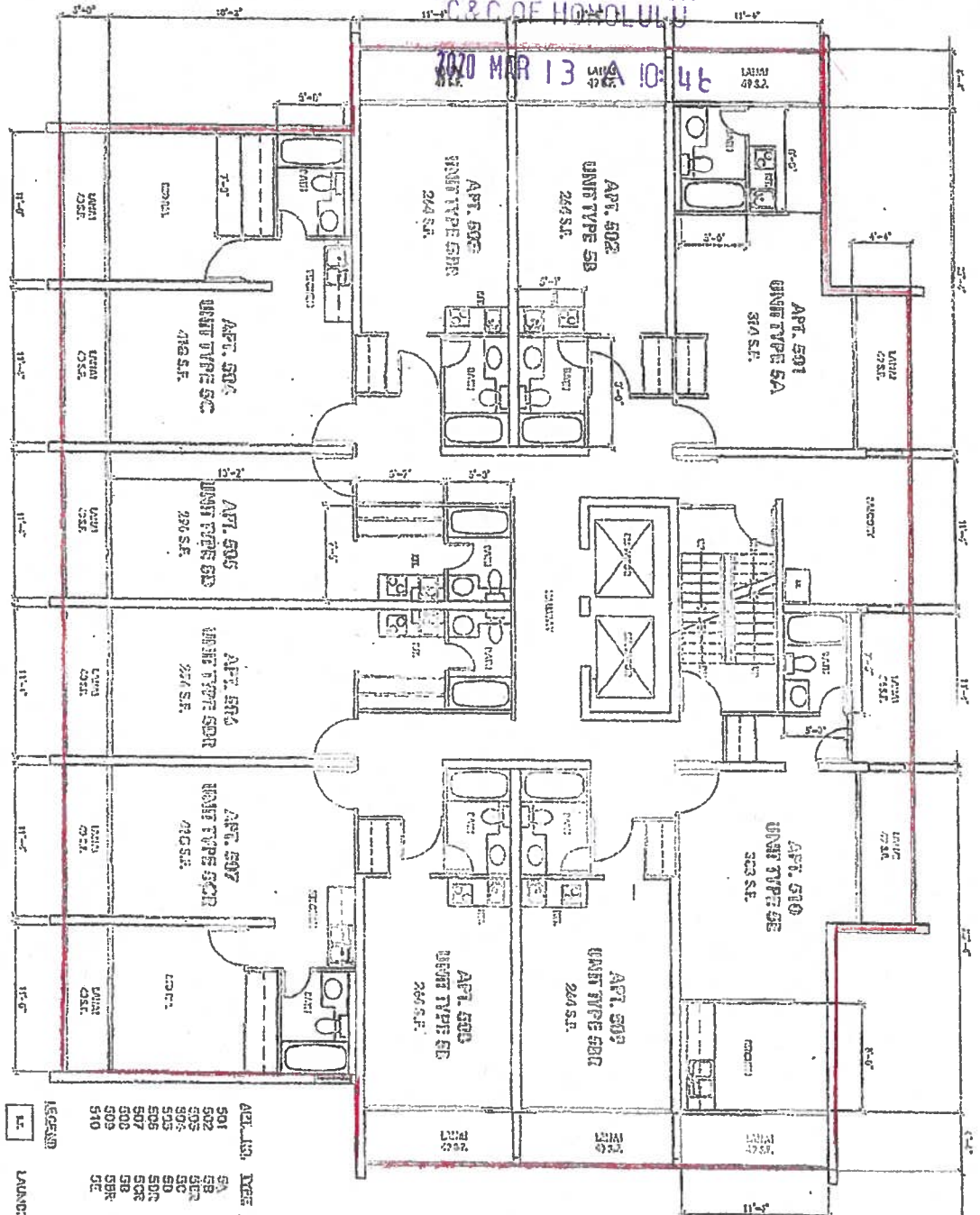
BAMBOO

2335 KIHUNA AVENUE
KOHALA, HAWAII 96761
TEL: 808-933-3333 FAX: 808-933-3334

USHIJIMA
ARCHITECTS
INC.

1417 Kalia Avenue, Suite 200
Honolulu, Hawaii 96813
Tel: 808-943-1111
Fax: 808-943-1112
Email: info@ushi-jima.com

2020 MAR 13 10:46 AM '20



FFTH FLOOR PLAN

ACCT. NO.	DATE	UNDE. ACCT	LANE. ACCT
501	5A	314 S.F.	49+49=98 S.F.
502	5B	164 S.F.	48 S.F.
503	5C	294 S.F.	49 S.F.
504	5D	410 S.F.	40+40=80 S.F.
505	5E	218 S.F.	40 S.F.
506	5D	256 S.F.	40 S.F.
507	5C	410 S.F.	40+40=80 S.F.
508	5B	244 S.F.	49 S.F.
509	5C	264 S.F.	49 S.F.
510	5D	350 S.F.	49+49+55=153 S.F.

LAUNDRY TRAY

The Government has been disappointed; indeed, when it failed to find a way to make the latent, dormant, uncommitted American and European in the Americas, and to make the peace of the continent, as required by Section 516-12, have reached its goal, as required, and is not entitled to any more to be added to October 1st (Wednesday) of 1941 (Wednesday).

EXHIBIT B

BAMBOO

2425 KUHIO AVENUE
HONOLULU, HAWAII 96815
7/11/68 2-6-23-47



USHIJIMA
ARCHITECTS
INC.

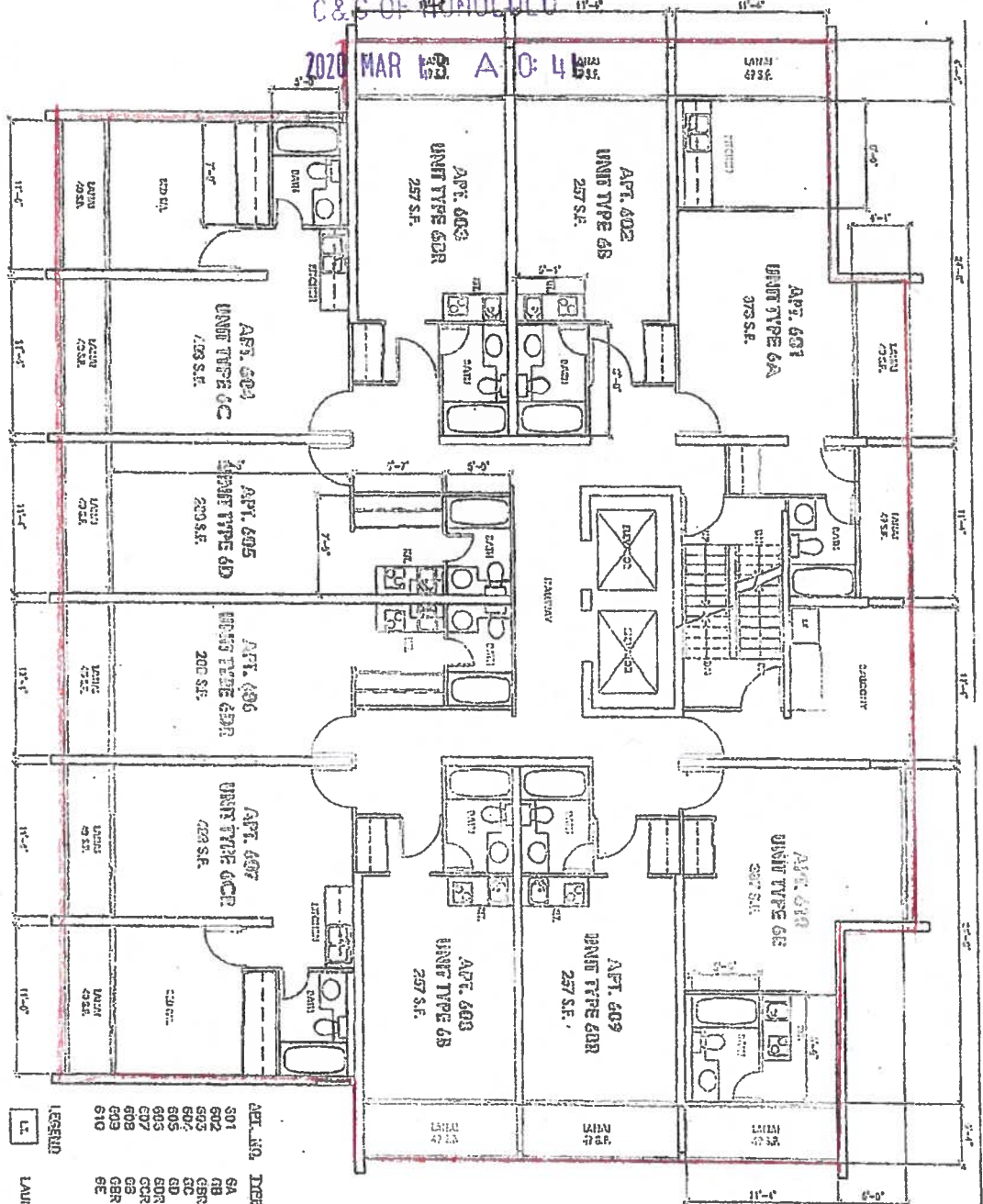
1110 University Avenue - 2nd Fl.
Portland, Oregon - 97203
Tel. (503) 243-2544

A-16

7 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 10

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C&G OF HONOLULU

2020 MAR 25 A 0:46



3RD FLOOR PLAN
SCALE: 1/8" = 1'-0"

THE CONSTRUCTION AND FINISHES SHOWN ON THIS FLOOR PLAN ARE BASED ON THE SPECIFICATIONS AND NOTES TO THE FLOOR PLAN. THE CONSTRUCTION AND FINISHES SHOWN ON THIS FLOOR PLAN ARE BASED ON THE SPECIFICATIONS AND NOTES TO THE FLOOR PLAN. THE CONSTRUCTION AND FINISHES SHOWN ON THIS FLOOR PLAN ARE BASED ON THE SPECIFICATIONS AND NOTES TO THE FLOOR PLAN.

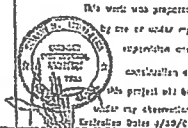
APT. NO.	TYPE	LOADING AREA	LAUNDRY AREA
601	6A	373 S.F.	48+49+10=138 S.F.
602	6B	257 S.F.	48 S.F.
603	6B	257 S.F.	48 S.F.
604	6B	257 S.F.	48 S.F.
605	6B	257 S.F.	48 S.F.
606	6B	257 S.F.	48 S.F.
607	6B	257 S.F.	48 S.F.
608	6B	257 S.F.	48 S.F.
609	6B	257 S.F.	48 S.F.
610	6B	257 S.F.	48 S.F.

LEGEND
LAUNDRY TRAY

EXHIBIT B

BAMBOO

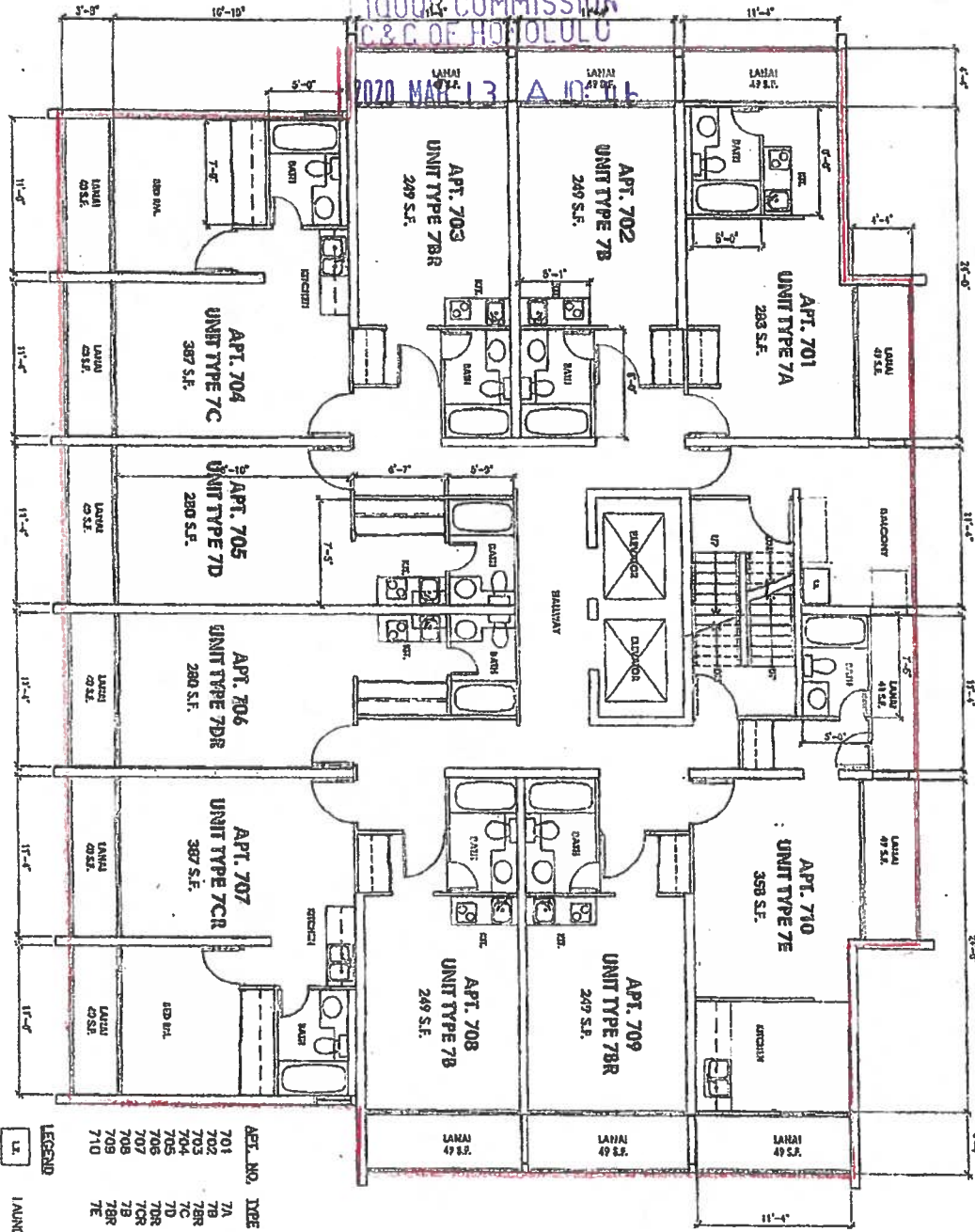
2425 KUHIO AVENUE
HONOLULU, HAWAII 96813
TEL: 808-261-4231



USHIJIKA
ARCHITECTS
INC.

1112 Century Avenue, Suite 200
Honolulu, Hawaii 96813
Phone: 808-551-1112
Fax: 808-551-1113

Drawn by: A
Checked by: A
Date: 01/10/2018



SEVENTH FLOOR PLAN
SCALE 1/8"=1'-0"

APL. NO.	TYPE	LANING AREA	LANAL AREA
701	7A	283 S.F.	49+49=98 S.F.
702	7B	249 S.F.	49 S.F.
703	7BR	387 S.F.	43 S.F.
704	7C	269 S.F.	40+40=80 S.F.
705	7D	280 S.F.	40 S.F.
706	7BR	280 S.F.	40 S.F.
707	7CR	387 S.F.	40+40=80 S.F.
708	7B	249 S.F.	49 S.F.
709	7BR	358 S.F.	49 S.F.
710	7E	249 S.F.	49+49+41=139 S.F.

LEGEND

LA

LAUNDRY TRAY

THE CONGRESSIONAL MAP FOR THE CONGRESSIONAL FRANCHISE, WHICH INDICATES THE SHEET, IS ENTERED DECEMBER TO SHOW THE VARIOUS, LOCATION, POSITION NUMBER AND DISTRICTS OF THE PARTICIPANTS, AND TO SHOW THE TYPE OF THE CONGRESSIONAL, AS INDICATED BY SECTION: 514-12, THESE REQUESTED SOURCES, AS EVIDENCE, AND IS NOT PURCHASED AND SHALL NOT BE USED TO OBTAIN ANY REPRESENTATION OR INFORMATION OTHERWISE."

A-8
Sheet 9 of 12 Sheets

THE SEVENTH FLOOR PLAN
Project EULESSO
Date OCT. 30, 2003
Drawn BY
Designed BY

BAMBOO
2425 KUHIO AVENUE
HONOLULU, HAWAII 96813
T.H.K.: 2-6-23: 67



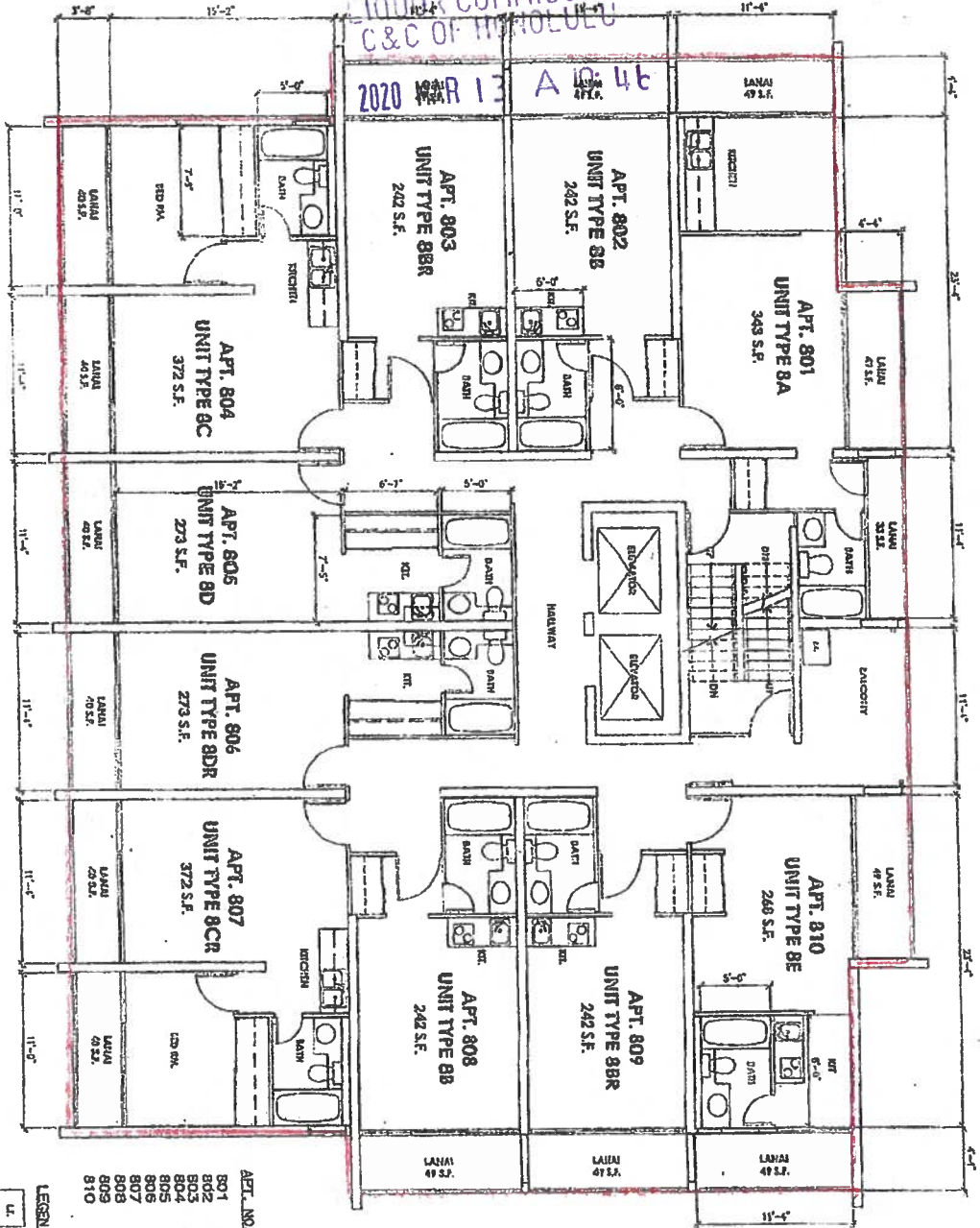
USHIJIMA
ARCHITECTS
INC.

EXHIBIT B

1510 University Avenue • Suite 311
 Berkeley • Calif. • 94702
 Ph: 842 944 • 9344
 Fax: 842 947 • 4339

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2020 APR 13 A 10:46



EIGHTH FLOOR PLAN
SCALE 1/8" = 1'-0"

LEGEND
L LAUNDRY TRAY

APT. NO.	TYPE	LIVING AREA	LANAI AREA
801	BA	343 S.F.	49+49+53=121 S.F.
802	BB	242 S.F.	49 S.F.
803	BBR	242 S.F.	49 S.F.
804	BB	242 S.F.	49 S.F.
805	BB	273 S.F.	49 S.F.
806	BBR	273 S.F.	49 S.F.
807	BB	273 S.F.	49 S.F.
808	BB	242 S.F.	49 S.F.
809	BBR	242 S.F.	49 S.F.
810	BB	268 S.F.	49+49+98=98 S.F.

THE CONSTRUCTION OF THIS FLOOR PLAN IS BASED ON THE INFORMATION PROVIDED BY THE ARCHITECT. THE ARCHITECT HAS NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE ARCHITECT. THE ARCHITECT HAS NO RESPONSIBILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED BY THE ARCHITECT.

THE EIGHTH FLOOR PLAN
DATE: OCT. 30, 2003
BY: [Signature]
A-9
Sheet 10 of 18

BAMBOO
2425 KUHIO AVENUE
HONOLULU, HAWAII 96815
T.H.K. - 2-6-23-67

1725 work was prepared by me or under my supervision and construction of this project will be under my direct supervision.
Professional Engineer Seal: 6/10/04

USHIJIMA ARCHITECTS INC.
1110 University Avenue • Suite 315
Honolulu • Hawaii • 96813
Phone • 832-8686
Fax • 832-8686
Cell • 832-8686

EXHIBIT B

20 - 21570

SCHE 1/01-0



ACT. NO.	TYPE	LINKS AREA	LINKS AREA
901	9A	257 S.F.	49+49=98 S.F.
902	8B	240 S.F.	49 S.F.
903	8C	458 S.F.	355+49=404 S.F.
904	8D	408 S.F.	355+49=404 S.F.
905	9ER	240 S.F.	48 S.F.
906	9D	287 S.F.	49+49+48=146 S.F.

THE CONGRESSIONAL MAP FOR THIS CONGRESSIONAL PROJECT, WHICH INCLUDES THIS SHEET, INTENDED ONLY TO SHOW THE LATITUDE, LOCATION, PRESENT NUMBER AND DIRECTIONS OF THE APPROACHES AND TO SHOW THE NAME OF THE CONGRESSIONAL AS ROUTED BY SECTION 514-12. THESE REMOVED SOURCES, AS MENTIONED, AND IS NOT MATCHED AND SHALL NOT BE USED TO OBTAIN ANY REFERENCE OR WARRANTY WHATSOEVER."

EXHIBIT B'

UNITED NATIONS
EDUCATIONAL, SCIENTIFIC AND CULTURAL ORGANIZATION
UNESCO
1945



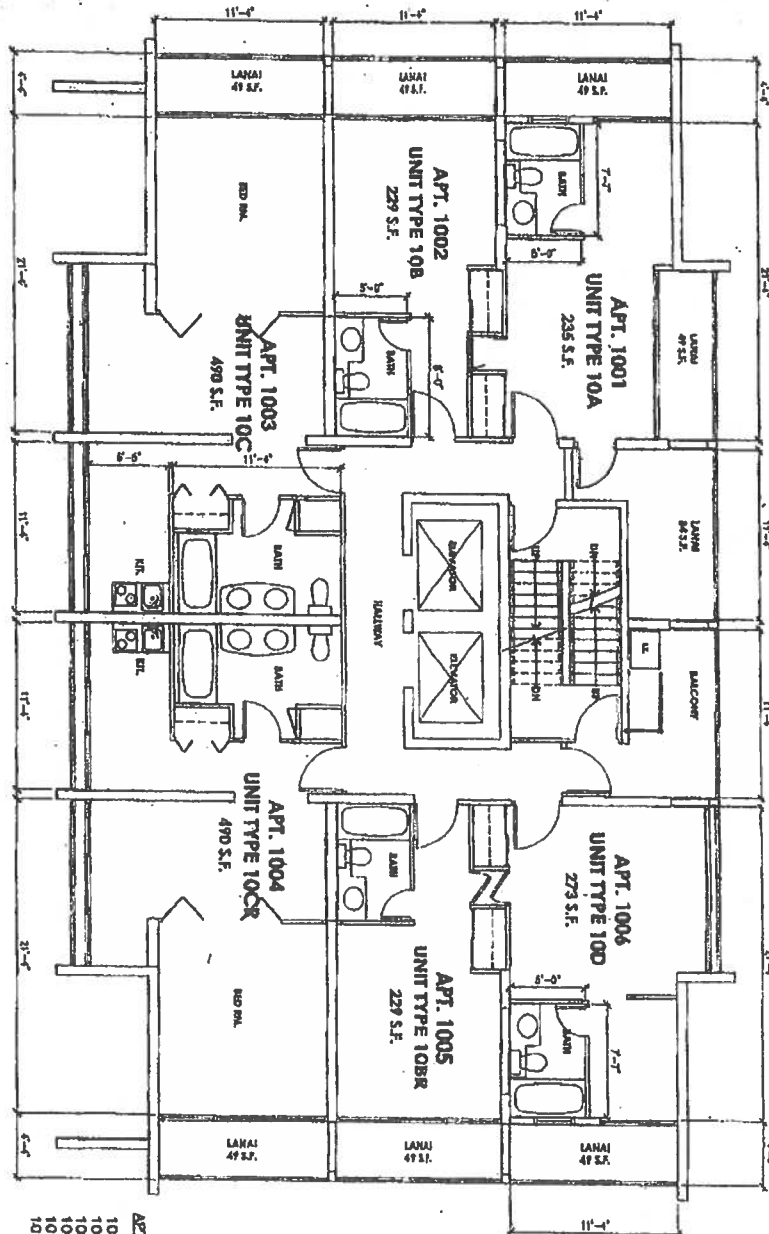
USHIJIMA
ARCHITECTS
INC.

0110 University Avenue, Suite 311
Menlo Park, CA 94025
Ph: 800 246-2544
Fax: 408 843-4379

Crating Inc.
A-10
Dept 11 at 10 St

○

2021
10



TENTH FLOOR PLAN
SCALE 1/8"=1'-0"

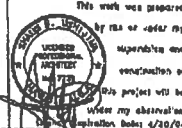
LEGEND
☐ LA
 LAUNDRY TRAY

APT. NO.	TYPE	LANAI AREA	LANAI AREA
1001	10A	236 S.F.	49+48+44=182 S.F.
1002	10B	229 S.F.	49 S.F.
1003	10C	490 S.F.	49 S.F.
1004	10CR	490 S.F.	49 S.F.
1005	10BR	229 S.F.	49 S.F.
1006	10D	273 S.F.	49 S.F.

THE CONFORMANCE MAP FOR THIS CONDOMINIUM PROJECT, WHICH INCLUDES THIS SHEET, IS PROVIDED ONLY TO SHOW THE LAND, LOCATION, ELEVATION, HEIGHT, AND DIMENSIONS OF THE APARTMENTS, LAUNDRY TRAYS, AND OTHER STRUCTURES, AND IS NOT INTENDED TO BE USED FOR ANY OTHER PURPOSES, INCLUDING BUT NOT LIMITED TO, THE DESIGN, CONSTRUCTION, OR MAINTENANCE OF THE PROJECT. THE CONFORMANCE MAP IS THE PROPERTY OF THE ARCHITECT AND SHALL NOT BE LOANED TO OTHERS WITHOUT THE ARCHITECT'S PERMISSION.

THE TENTH FLOOR PLAN
 DRAWN BY
 DATE OCT. 26, 2003
 CHECKED BY
 SCALE 1/8"=1'-0"
 SHEET 12 OF 10 SHEETS
A-11

BAMBOO
 2426 KUHIO AVENUE
 HONOLULU, HAWAII 96815
 T.M.K. 12-6-23-67



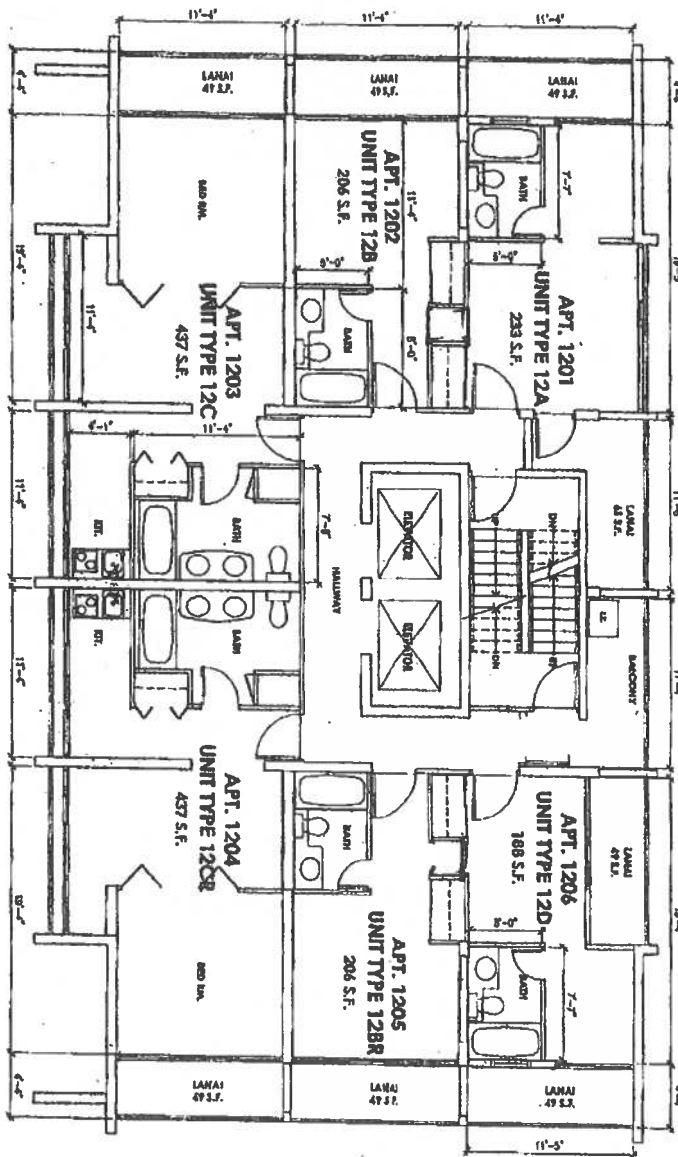
USHIJIMA
 ARCHITECTS
 INC.

EXHIBIT-B

1110 J. Street, Suite 101
 Honolulu, Hawaii 96813
 Tel: 808-531-1110
 Fax: 808-531-1111
 Email: info@ushijima.com

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C&C OF HONOLULU

2021
JUL-5 A 9:40



TWELFTH FLOOR PLAN
SCALE 1/8"=1'-0"

THE CONDOGAP MAP FOR THIS CONDOMINIUM PROJECT, WHICH INCLUDES THE SHEET IS
INTENDED ONLY TO SHOW THE LAYOUT, LOCATION, APPROXIMATE DIMENSIONS AND
GENERAL CHARACTERISTICS OF THE CONDOMINIUM. IT IS NOT TO BE USED FOR
ANY OTHER PURPOSES, AND IT IS NOT TO BE USED TO OBTAIN ANY REPRESENTATION OR WARRANTY WHATSOEVER.

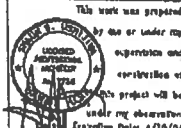
LEGEND
LT LAUNDRY TRAY

APT. NO.	TYPE	LIVING AREA	LANAI AREA
1201	12A	233 S.F.	49+49=98 S.F.
1202	12B	206 S.F.	49 S.F.
1203	12C	437 S.F.	49 S.F.
1204	12CR	437 S.F.	49 S.F.
1205	12BR	206 S.F.	49 S.F.
1206	12D	188 S.F.	49+49=98 S.F.

THE TWELFTH FLOOR PLAN
BAMBOO
DATE: OCT. 31, 2013
DRAWN BY: [Signature]
CHECKED BY: [Signature]
SCALE: 1/8"=1'-0"

A-13
Sheet 14 of 16 Sheets

BAMBOO
2428 KUHIO AVENUE
HONOLULU, HAWAII 96816
T.H.E.: 2-6-231/47

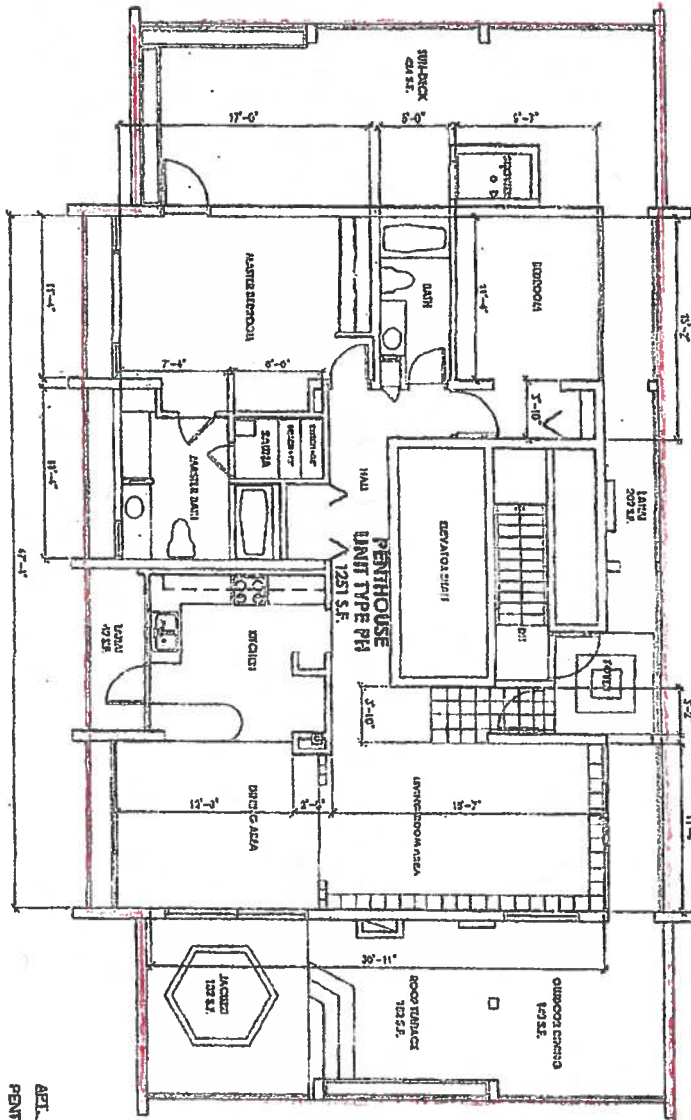


USHIJIMA ARCHITECTS INC.

Office: 1110 University Avenue, Suite 311
Honolulu, Hawaii 96826
Phone: 808-944-1825
Fax: 808-944-1825

EXHIBIT B

2020 MAR 13 A 10:46



PENTHOUSE FLOOR PLAN
SCALE 1/8"=1'-0"

SCALE 1/5+7-9

APT. NO.	TYPE	LIVING AREA	OUTDOOR AREA
PENTHOUSE	P111	1251 S.F.	1106 S.F.

THE CONGRESSIONAL APPROPRIATION PROJECT, WHICH EXAMINES THE SPENDING OF THE FEDERAL GOVERNMENT, HAS BEEN ADVISED THAT THE BUDGETARY PROCESS FOR THE FISCAL YEAR 1964-65 IS BEING DELAYED BY THE APPROPRIATIONS ACT TO STOP THE FLOW OF THE CONGRESSIONAL APPROPRIATION ACT. THE ACT, WHICH WAS PASSED BY THE HOUSE OF REPRESENTATIVES ON SEPTEMBER 1964-65, WILL NOT BE PASSED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES UNTIL AFTER THE END OF THE FISCAL YEAR 1964-65.

BAMBOO
2425 KUHIO AVENUE
HONOLULU, HAWAII 96816
T.M.K.: 2-5-231 67

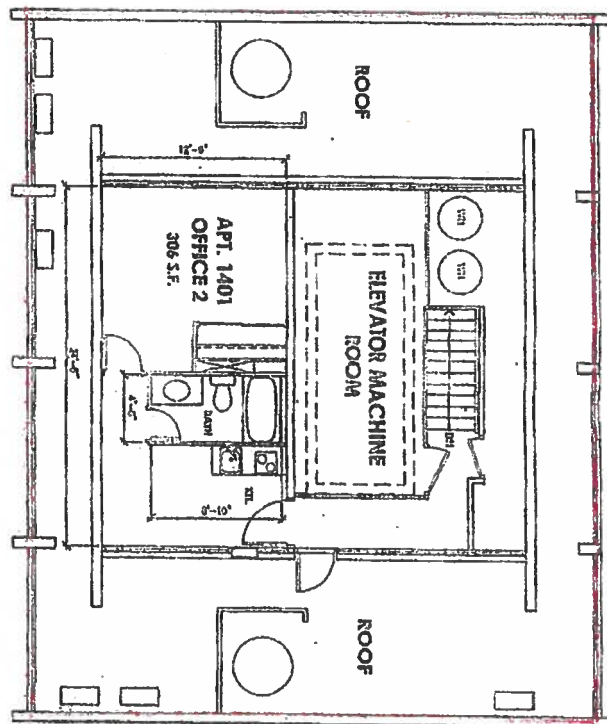


USHIJIMA
ARCHITECTS
INC.

Shore Station, Ala.
1810 University Street, Suite 311
Mobile, Ala. 36686
PA : 855 745-9260
Fax : 855 847-4570

A-14
Sheet 15 of 10 Sheets

2020 MAR 13 A 10: 46



ELEVATOR MACHINE ROOM, OFFICE AND ROOF FLOOR PLAN

APT. NO.	TYPE	AREA
1401	OFFICE 2	306 S.F.

LEGN

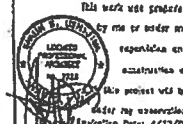


WATER HEATER

THE CONFOCAL MAP FOR THIS CONTOURLINE PROJECT, WHICH INCLUDES THIS SHEET, IS EXTENDED ONLY TO THE LAKE. (LOCAL, APPARENT HARBOR AND DOCKINGS OF BIG ANCHORS ARE TO STATE THE USE OF THE CONTOURLINE, AS REQUIRED BY SECTION 5144-12, JUNE 1952 STUDIES, AS ADOPTED, AND IS NOT EXTENDED AND SHALL NOT BE USED TO COMPARISONS AND REPRODUCTION OF INFORMATION.)

EXHIBIT B

BAMBOO
2423 KUHIO AVENUE
HONOLULU, HAWAII 96815
T.M.K.: 2-6-23: 67

USHIJIMA
ARCHITECTS
INC.

Sharon Williams, AIA
1110 Underhill Avenue, Suite 301
Hawthorne, New Jersey 07014
Ph: 856. 946. 9344
Fax: 856. 946. 9378

A-15

Speed 16 or 18 Duesenberg

Perez, Scott

From: Nokaoi Liquor <nokaoiliquor@gmail.com>
Sent: Monday, November 8, 2021 7:58 AM
To: Perez, Scott; Sato, Daniel T
Cc: Greg Nishioka
Subject: Re: Ko Tiki LLC New App. 20-21570

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Scott,

1. You stated that Ko Tiki (Applicant) will provide food and beverage services to the hotel, will the applicant exclusively operate food and beverage services only? Yes
2. Who will be:
 - a. providing the other hotel services to its guest (front desk, room service, housekeeping, or provide bell service)? Hotel manager Castle Resorts (manager changed since application filed) will provide front desk, bell service. Housekeeping will do cleaning. Ko Tiki is not involved in those services.
 - b. Where will the income generated by these services go to? Will go to provider. No income from these services to Ko Tiki
 - c. Who will be staffing these employees? Hotel manager. Ko Tiki will not staff these employees.
3. Will the applicant dictate and give guidance regarding the hotel's daily operations? No

At this point, applicant is primarily concerned with getting a license for the ground floor pool deck and restaurant space. Will it speed things up if the application class is changed to Restaurant Class?

Ross

On Thu, Nov 4, 2021 at 2:55 PM Perez, Scott <sperez@honolulu.gov> wrote:

Sir,

1. You stated that Ko Tiki (Applicant) will provide food and beverage services to the hotel, will the applicant exclusively operate food and beverage services only?
2. Who will be:
 - a. providing the other hotel services to its guest (front desk, room service, housekeeping, or provide bell service)?
 - b. Where will the income generated by these services go to?
 - c. Who will be staffing these employees?

3. Will the applicant dictate and give guidance regarding the hotels daily operations?

V/R,

Scott M. Perez

Liquor Control Investigator III

Honolulu Liquor Commission

711 Kapiolani Blvd. Suite 600

Direct: (808) 768-7337

Work Cell: (808) 753-8851

Email: sperez@honolulu.gov

From: Nokaoi Liquor [<mailto:nokaoiliquor@gmail.com>]

Sent: Monday, October 25, 2021 5:24 PM

To: Perez, Scott

Subject: Re: Ko Tiki LLC New App. 20-21570

CAUTION: Email received from an EXTERNAL sender. Please confirm the content is safe prior to opening attachments or links.

Scott,

The difference in the room count is the use of rooms for housekeeping and storage.

The employees will be restaurant employees of Ko Tiki. Ko Tiki will hire and fire and pay employees. They will perform duties of the restaurant operations. They will prep food, serve food and beverage and other duties for a food and beverage operation. Ko Tiki will provide the food and beverage service for the hotel. They will not work at the front desk, do housekeeping or provide bell service

When can we get a preliminary hearing for this application

Ross

Sent from my iPhone

On Oct 22, 2021, at 9:28 AM, Perez, Scott <sperez@honolulu.gov> wrote:

Sir,

Please address the below:

1. I count a total of 96 rooms within the hotel property. You identified to me 94 guest rooms, what are the other 2 rooms used for.
2. Applicant is intending to staff 15 – 20 additional employees. What duties will these employees have?
 - a. Who will hire/ terminate employees?
 - b. Who will be responsible for payroll of these employees
3. What services will the applicant be providing to the hotel?
 - a. Will applicant
 - i. Operate front desk (reception)
 - ii. Provide Maid and linen services
 - iii. Provide Bell service

V/R,

Scott M. Perez

Liquor Control Investigator III

Honolulu Liquor Commission

711 Kapiolani Blvd. Suite 600

Direct: (808) 768-7337

Work Cell: (808) 753-8851

Email: sperez@honolulu.gov

--

No Ka Oi Liquor Licensing

PO Box 2534

Honolulu, HI 96804-2534

808-798-4475

and in a clean and sanitary condition and free from obstruction, and shall store all trash and refuse within the demised premises or in areas designated therefor by Lessor, and share in the cost of having the same picked up regularly.

ARTICLE 6. RESPONSIBILITY FOR FIXTURES AND OTHER IMPROVEMENTS, ALTERATIONS, AND RENOVATIONS.

The responsibility and liability for costs of any renovations or alterations and installing and/or repairing all fixtures, appliances, equipment and other items which are ordinarily required by practice or by law, or otherwise necessary or desirable to place the Pool Bar in a condition suitable for the operation of Lessee's business, shall be Lessee's, including but not limited to "build-out" costs of approximately \$250,000.00, provided, however, that Lessor will deliver premises to Tenant with no improvements but in clean condition with all personal property of former tenant completely removed. Lessee shall be solely responsible for making such additions, alterations, or improvements to the Premises as are necessary to ensure accessibility by disabled persons and provide auxiliary aids and/or services for disabled persons to the extent necessary to achieve compliance with the Americans With Disabilities Act (42 U.S.C. Section 12101 et seq., hereinafter called the "ADA"), Chapter 489, Hawai'i Revised Statutes, Chapter 515, Hawai'i Revised Statutes, and/or any like requirements pursuant to any statute, ordinance, rule, or regulation enacted by any governmental authority. All contractors and subcontractors shall be licensed and bonded and shall be insured as provided in Section 14.02(a), below. All renovations, alterations, and improvements must be approved in advance by Lessor in writing.

ARTICLE 7. USE OF PREMISES.

- a. Lessee will use the Pool Bar during the term hereof for the sole purpose of food and beverage service with live entertainment and related retail, and for no other purpose without Lessor's prior written consent. Lessor consents and grants Lessee the non-exclusive use of the Pool Bar and surrounding common area to serve food, liquor and beverages, and related retail. Accordingly, Lessor grants Lessee the right to apply for a restaurant liquor license with entertainment, and the right to serve the hotel.
- b. Lessee will not conduct or permit to be conducted any auction and/or sale by auction on said Pool Bar or any fire sale or bankruptcy sale, nor will it give or grant a right or license for, or otherwise undertake or permit any concessions or vending machines on or adjacent to said Pool Bar.
- c. Lessee will not use the Pool Bar or permit any concessionaire, licensee, sublessee or other person to use the demised premises for storage, display and/or sale of any pornographic materials, books, magazines, movies or peep-shows, for the conducting of any dating service or brokerage, fortune-telling or palm reading business, photographic salon or studio devoted to nude photography or display of such photographs, nudist club, or club, room or den where narcotics are or cannabis is illegally offered, sold, used, stored or otherwise made available, or for the operation of such machines or any device, arrangement or activity for the purpose of gambling, social or otherwise.
- d. Lessee will not use said Pool⁷Bar or suffer same to be used for any purpose or purposes in violation of any condition or provision of this Lease, or of any law, ordinance or regulation of any public authority, or of any policy of insurance upon said Pool Bar, or do or

permit to be done any act which will occasion or constitute a ground for cancellation of any such insurance policy or for any increase in the rate of insurance on said property, and will not commit or suffer to be committed any nuisance upon said Pool Bar or act which may disturb the quiet enjoyment of any other tenant, if any, in the building in which the said Pool Bar are located or in the Bamboo and its immediate surrounding area. Violation of any of the above shall constitute a breach of this Lease for which the Lessor may, at its option, terminate this Lease.

e. Lessee's use of the Pool Bar shall be subject to the Declaration of Condominium Property Regime, the Bylaws and House Rules of the Project and to applicable laws, as they may change from time to time. Lessee acknowledges that Lessee has had an opportunity to investigate the applicable laws, and zoning restrictions covering the demised Pool Bar.

f. Lessor shall have the right to approve the appearance, design, operation, hours, music and noise levels as well as the designation of seating tables etc. for the shared use of the common area, provided that Lessor's requirements shall not unreasonably impact the Lessee's ability to operate successfully. Lessee's shared use of the poolside common area is not intended to dominate the use of the common area to the detriment of the owners and hotel guests. Lessor may require Lessee to provide priority or VIP seating for owners and Bamboo hotel guests. Notwithstanding the foregoing, Lessee with Lessor's approval shall have the right to set forth rules and regulations regarding the poolside common area space to ensure compliance with the liquor laws and rules and to safe guard it's liquor license.

ARTICLE 8. CONDUCT OF LESSEE'S BUSINESS.

- a. Lessor shall have the right at any time to direct Lessee to remove from employment any employee of Lessee who is objectionable to Lessor; provided, however, that no such objection shall be based upon said employee's race, religion, color, ancestry, national origin, sex or age or upon any other basis which would constitute a violation of said employee's rights under any Federal or State law or any amendment thereto. In the event that Lessor shall decide on the removal of any such employee as permitted herein, such employee shall not be permitted to have any connection with the operation of the business of Lessee upon the Pool Bar. Lessee agrees that any contract agreement or understanding which Lessee may enter into in connection with the employment of any person on the Pool Bar shall be made with reference to the provisions hereof. Lessee agrees to indemnify, defend, and hold Lessor harmless from and against any liability, claims, suits, proceedings or actions arising under the Civil Rights Act of 1964, as amended, the ADA, as amended, Chapter 489, Hawai'i Revised Statutes, Chapter 515, Hawai'i Revised Statutes, as amended, or under any other statute or act by virtue of the exercise of Lessor's objection to the employment of any person, including attorney's fees and other expenses.
- b. Lessee shall be responsible to provide auxiliary aids and/or services for disabled persons within the Pool Bar as may be necessary to achieve compliance with the ADA, Chapter 489, Hawai'i Revised Statutes, Chapter 515, Hawai'i Revised Statutes, and/or any like requirements pursuant to any statute, ordinance, rule, or regulation enacted by any governmental authority.

ARTICLE 9. ADVERTISING.

Lessee will not without first obtaining Lessor's written consent inscribe, post, place or in any way

It is expressly understood that by executing this Lease or leasing the Pool Bar to Lessee, Lessor does not in any way or for any purpose become a partner of Lessee in the conduct of its business or otherwise or joint venturer or a member of joint enterprise with Lessee.

ARTICLE 34. ACCORD AND SATISFACTION.

No payment by Lessee or receipt by Lessor of an amount less than the monthly rent herein stipulated shall be deemed to be other than on account of rents due, nor shall any endorsement or statement on any check or any letter accompanying any check or payment of rent be deemed an accord and satisfaction, and Lessor may accept such check or payment without prejudice to Lessor's right to recover the balance of such rent or pursue any monies due hereunder by Lessee which are delinquent. Lessor may, upon the receipt of any payments, apply them to any account or period Lessor shall determine in Lessor's sole discretion.

ARTICLE 35. SPECIAL CONDITIONS.

Lessee is aware that the Bamboo is a condominium, managed by Aqua-Aston Hospitality as a resort, subject to compliance with all laws, ordinances and regulations of the City & County of Honolulu and/or State of Hawaii and/or Federal laws which may be applicable.

ARTICLE 36. AMERICANS WITH DISABILITIES ACT COMPLIANCE AND INDEMNITY.

Lessee will be solely responsible for and will defend, indemnify and hold Lessor, its agents and employees, harmless from and against any and all claims, costs and liabilities, including attorneys' fees and costs, arising out of or in connection with any alleged failure of Lessee to comply with the ADA, Chapter 489, Hawai'i Revised Statutes, Chapter 515, Hawai'i Revised Statutes, and/or any like requirements pursuant to any statute, ordinance, rule, or regulation enacted by any governmental authority, which involves Lessees' operations at the demised premises. In case any action or proceeding be brought against, or notice given to Lessee for violation of the ADA, Chapter 489, Hawai'i Revised Statutes, Chapter 515, Hawai'i Revised Statutes, and/or any like requirements pursuant to any statute, ordinance, rule, or regulation enacted by any governmental authority, Lessee shall notify Lessor in writing within ten (10) days of such action, proceeding or notice. Lessee's obligations under this Article 36 will survive the expiration or other termination of this lease.

ARTICLE 37. GOVERNING LAW: VENUE.

This Lease shall be governed by and construed in accordance with the laws of the State of Hawaii. Venue for any proceedings arising out of or in relation to this Lease shall be in the City & County of Honolulu unless otherwise agreed by Lessor.

ARTICLE 38. SURVIVAL OF LESSEE'S OBLIGATIONS.

Whenever any provision of this Lease requires Lessee to indemnify, save, and hold harmless Lessor, Lessee's obligations hereunder shall survive the expiration, termination, or cancellation of this Lease.

ARTICLE 39. EXHIBITS.

**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • EMAIL lic@hawaii.gov
INTERNET ADDRESS: www.hawaii.gov/lic

**RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU**

**LANDLORD AUTHORIZATION
FOR SALE AND SERVICE OF LIQUOR**

Rule 3-83-53.1

2020 JUN 15 A 10:12

Date: 02/22/2020

Landlord Name: Bamboo AOA

Mailing Address: 2425 Kuhio Ave.

Honolulu, Hawaii 96815

Landlord Contact Name: Bruce N. Correll

Title: AOAO President

Bus. #: _____ Mobile #: _____ Email: _____

I AUTHORIZE:

Applicant Name: KO TIKI LLC

Trade Name (DBA): Aqua Bamboo Waikiki

to sell and serve liquor at 2425 & 2415 Kuhio Ave., 2418 & 2426 Prince Edward St.

Address

Date(s) of Event: N/A

Start Time: N/A End Time: N/A

Furthermore, I authorize Honolulu Liquor Commission Investigators to inspect the property as required for the sale and service of liquor.

Comments: Bamboo AOA consents to Applicant's application as follows: 1) to obtain a hotel license; 2) license the entire hotel building and property; and 3) to sell liquor for consumption on the hotel premises.

SIGNATURE Landlord

DATE

Bruce N. Correll

AOAO President

PRINT NAME Landlord

TITLE

For HLC Office Use Only

LCIS ENTRY DATE: _____ HLC STAFF INITIAL: _____

May 7th, 2021

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2021 JUN -3 P 12: 29

Honolulu Liquor Commission
711 Kapiolani Blvd., Ste 600
Honolulu, HI 96813
Attn: Scott Perez, Licensing Investigator

Re: Liquor License Application for Ko Tiki LLC

Notice

Dear Investigator Perez,

The attached Notice was sent to all members of the Bamboo Association of Apartment Owners with regard to the Hotel Class Liquor License application of Ko Tiki LLC at the Bamboo Waikiki.

To date I have not received objections from any members of the Bamboo Association of Apartment Owners.

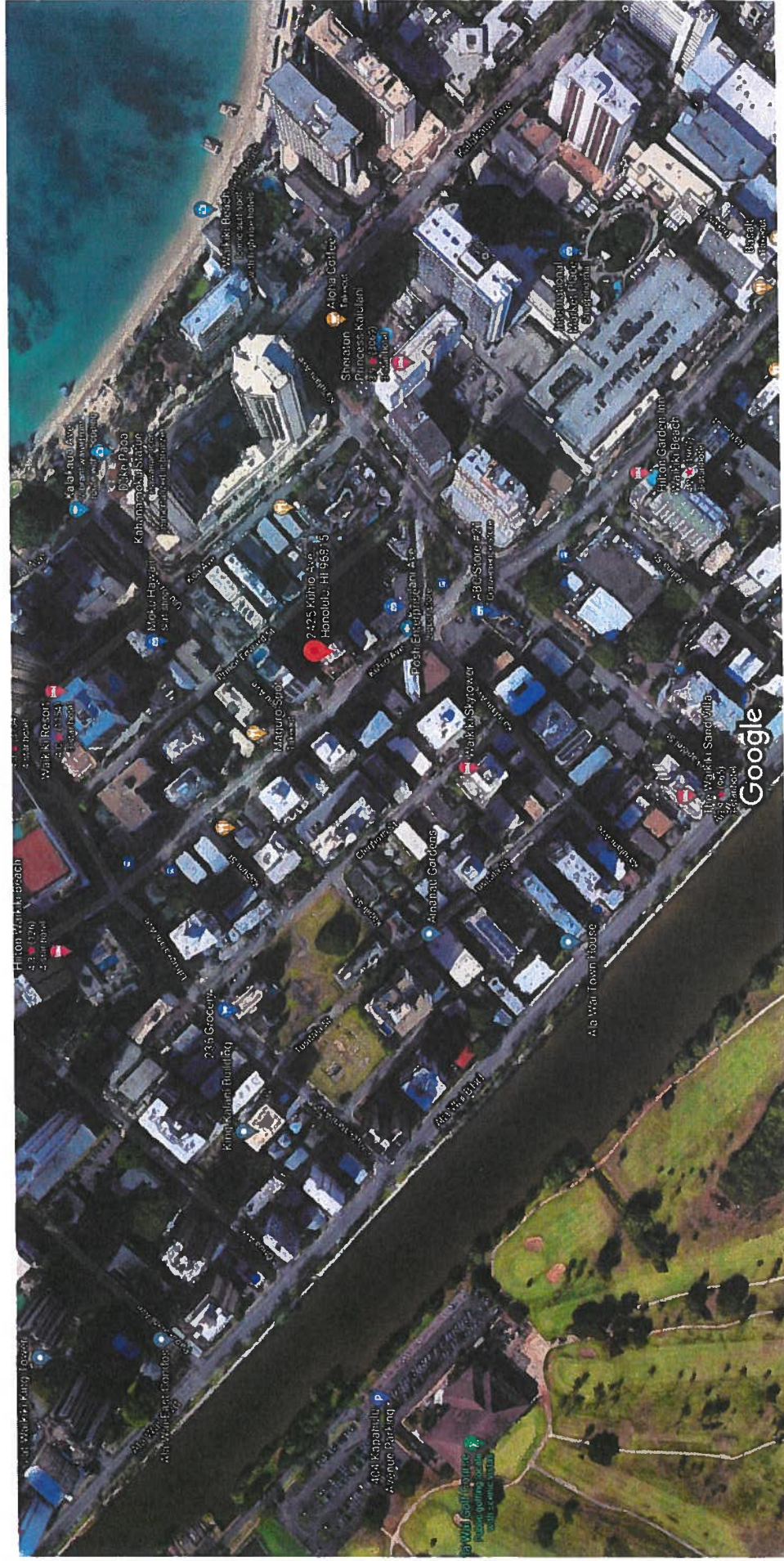
Sincerely,



Bruce N. Correll

Bamboo
AOAO President

EXHIBIT C-4



Continued from

DEC 23 2021 to JAN 13 2022

LICENSING INVESTIGATIVE REPORT

DATE: December 17, 2021

SUBJECT: New Application No. 21-23440 from Cloroshko LLC, dba Paco's Tacos Cantina Kapolei for a Restaurant General (Category 1: Standard license) at former location of JV, Inc., dba Takumi, located at 4850 Kapolei Parkway, #401/#402, Kapolei, HI, 96707

COMPANY STRUCTURE:

CLOROSHKO LLC: was formed under the laws of the State of Hawaii on January 13, 2013, as a member-managed limited liability company.

The sole member is:

	<u>Title</u>	<u>Percent</u>
Elizabeth Diaz	Member	100%

See **Exhibit A** for more information. CJIS Computer System checks were negative.

FINGERPRINTS:

Elizabeth Diaz was fingerprinted on September 27, 2019, and FBI/HCIJDC results were negative for any felony convictions. Clearances issued as a result of this fingerprinting shall be valid for license application or reapplication for up to two (2) years from the clearance date.

FINANCIAL STATEMENT OF CLOROSHKO LLC AS OF APRIL 30, 2021:

Financial Statement dated June 28, 2021, was submitted to the Commission and certified by the applicant to be substantially correct, as of April 30, 2021.

COST AND FINANCING:

The applicant is currently in business and the costs of adding liquor will be minimal.

STAND-ALONE TEMPORARY APPLICATION FILED:

The applicant filed a Stand-Alone Temporary Application #20-20037 for a Stand-Alone Temporary Restaurant License on July 8, 2019.

TRADE NAME:

The applicant has filed a State of Hawaii Department of Commerce and Consumer Affairs Certificate of Registration of Trade Name. The name "Paco's Tacos Cantina Kapolei" is registered to the applicant on May 19, 2021, to May 18, 2026.

BACKGROUND:

The proposed licensed premises is located at the former location of JV, Inc., dba Takumi, former Restaurant General Category 1: Standard license. The former license was in effect December 22, 2015, until June 30, 2021, (not renewed).

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is reported to be located at 4850 Kapolei Parkway, #401 & #402.

- The irregular shaped size of the restaurant is approximately 64 feet by 44 feet (overall). According to the lease, the proposed premises is approximately 1,825 square feet.
- There is a bar counter approximately 10 feet by 11 feet overall.
- The indoor seating area is approximately 41 feet in length and approximately 20 feet wide.
- The outdoor seating area is approximately 40 feet by 20 feet, overall.
- Restrooms located within the premises.

See **EXHIBIT B** for floor plan.

During a preliminary inspection on December 16, 2021, this writer noted potential issues to the subject proposed premises.

In the kitchen area, a deep freezer approximately 9 feet by 6 feet, was partially obstructing one of the exit double doors. Additionally, it appeared that the exit sign was not in working order, with the fire pull station obstructed with miscellaneous items.

On December 17, 2021, at around 8:00 a.m., authorized agent Wayne Luke was notified of all the aforementioned issues. Luke acknowledged the issues and informed this writer it would be taken care of.

The location is highlighted on the floor plan and attached as **EXHIBIT C1**. For more information refer to **EXHIBITS C2-C4 (photographs)**.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES (CONTINUED):

Parking: There are parking stalls within the shopping center area for the proposed establishment.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

There is no known church, school, or playground within 500 feet, from the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

There is no other same class of license within 500 feet.

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of December 16, 2021, there are 538 Restaurant licenses issued within the City and County of Honolulu, of which 498 are of the General kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Applicant intends to operate a restaurant specializing in Mexican cuisine.
- Hours of Operation: Daily 11:00 a.m. till 9:00 p.m.
- Approximately eight (8) Employees. Two (2) Managers.
- Business plan See **Exhibit D** for more details.

Lease: According to a document titled, "Kapolei Village Center Space Lease", Kapolei Shops, LLC, ("Landlord") and Cloroshko LLC (Tenant), dated April 5, 2021, the project address is 4850 Kapolei Parkway, #401 & #402, consisting of approximately 1,825 square feet.

The Rent Commencement date is effective on October 21, 2021, and for a period of ten (10) lease years.

POTENTIAL ISSUES:

Based on the observations made during the preliminary inspection on December 16, 2021, the premises may possibly be in violation of building or fire code.

Pursuant to §281-51 Prior inspection. No license shall be issued under this chapter unless and until the liquor commission has caused to be made a thorough inspection of the premises upon which the proposed business is to be conducted and is satisfied as to its fitness and that all other general conditions and proposed methods of operation under the license are such as are suitable for carrying on the business in a reputable way. "In a reputable way" includes among other considerations operating in such a manner that activities within the premises or in such adjacent related outdoor areas such as parking lots or lanais will not create noise in excess of standards contained in state or county noise or vibration codes which intrudes into nearby residential units.

§281-38 Conditions of licenses. Every license issued under this chapter shall contain the condition that it is subject to this chapter and any other laws applicable to the business of the licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, and to all applicable rules and regulations of the liquor commission as the same may exist or be adopted or changed from time to time.

§281-72 Condition of premises. All premises licensed or proposed to be licensed shall be constructed, arranged, furnished, equipped, maintained, and operated in such manner as may be prescribed by the liquor commission.

OTHER LIQUOR LICENSE INTERESTS:

Elizabeth Diaz is a current member of Cloroshko LLC dba Paco's Tacos Cantina, which currently exercises a Restaurant General Category #2: Music/Dancing license (R1379).

The license is located at 555 N. Hotel Street, #108, Honolulu, and has been in effect since October 25, 2019. The current status of this license as of December 16, 2021, is safekeeping.

**HISTORY OF VIOLATIONS FOR OTHER LIQUOR LICENSED INTERESTS
DURING THE PERIOD OWNED OR OPERATED BY THE PRINCIPALS:**

See **Exhibit E** for more details of Cloroshko LLC dba Paco's Tacos Cantina.

ZONING CLEARANCE:

**Department of Planning and Permitting zoning clearance is pending.
Submission of a zoning clearance must be received prior to the issuance of a
license.**

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of December 17, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

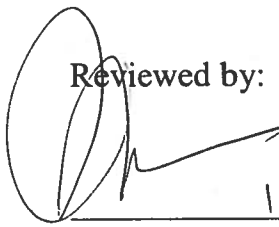

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

It is unclear if the applicant has met statutory requirements of this application, based on the aforementioned issues listed.

Reviewed by:


12/17/2021
Peter Nakagawa
Chief Investigator 



Daniel Sato
Supervising Investigator

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-8248
 PHONE (808) 768-7300 • FAX (808) 768-7311
 INTERNET ADDRESS: www.honolulu.gov/lic

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 LIQUOR COMMISSION
 C & C OF HONOLULU

2021 JUN 28 P 3:27

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Diaz Minaya Elizabeth SOCIAL SECURITY NO. _____
 Last, First Middle Maiden
 HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
 CITY _____ STATE _____ ZIP CODE _____ HOME () _____
 PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
 (City, State) (MM / DD / YYYY)
 NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 1993 NAME OF SCHOOL Grogorio Lupercus H.S. Santo Domingo
 (Include City and State) Dominican Republic
 NO. OF YEARS COMPLETED IN COLLEGE 0 YEAR COMPLETED n/a NAME OF COLLEGE n/a
 (Include City and State)
 OTHER EDUCATION 0

CITIZENSHIP* US DATE ARRIVED IN HAWAII (if applicable) 2012
 *(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1994	1995	Liquor Store Clerk		N.Y., N.Y.
1996	2006	Massage Therapist	Kim Hair Salon	Fort Lee, N.J.
2006	2012	Nail Tech	Various	South Carolina
2012	2014	Utility Worker	St Regis Hotel	Kauai, HI
2015	present	Owner	El Azteca & Paco's Tacos Cantina	Kauai, HI
2019	present	owner	Paco's Tacos Cantina	Hon HI

(If additional space is needed, please use reverse side)

List your experience in the liquor industry: See above 2015 to present

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LIQUOR COMMISSION
C&C OF HONOLULU

2021 JUN 28 P 3:27

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

I, ELIZABETH DIAZ MINAYA, of _____
(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have/ ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII Kauai }
City and County of Honolulu } SS.

On this 14 day of April, in the year of 2021, personally appeared Elizabeth Diaz Minaya
who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

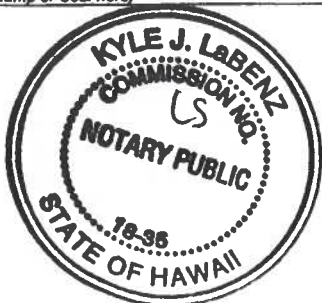
Subscribed and sworn to before me this:

14 day of April, 2021

Print Name: Kyle J. Labenz
Notary Public, State of Hawaii

My commission expires 2/1/2022

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

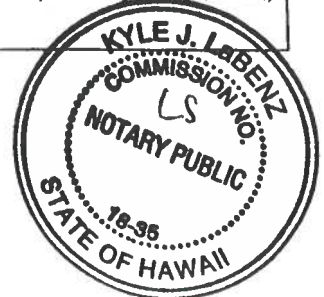
Date of Doc: 4/14/2021 # of Pages: 2

Notary Name: Kyle J. Labenz 5th Circuit

Doc. Description: Personal History and Affidavit

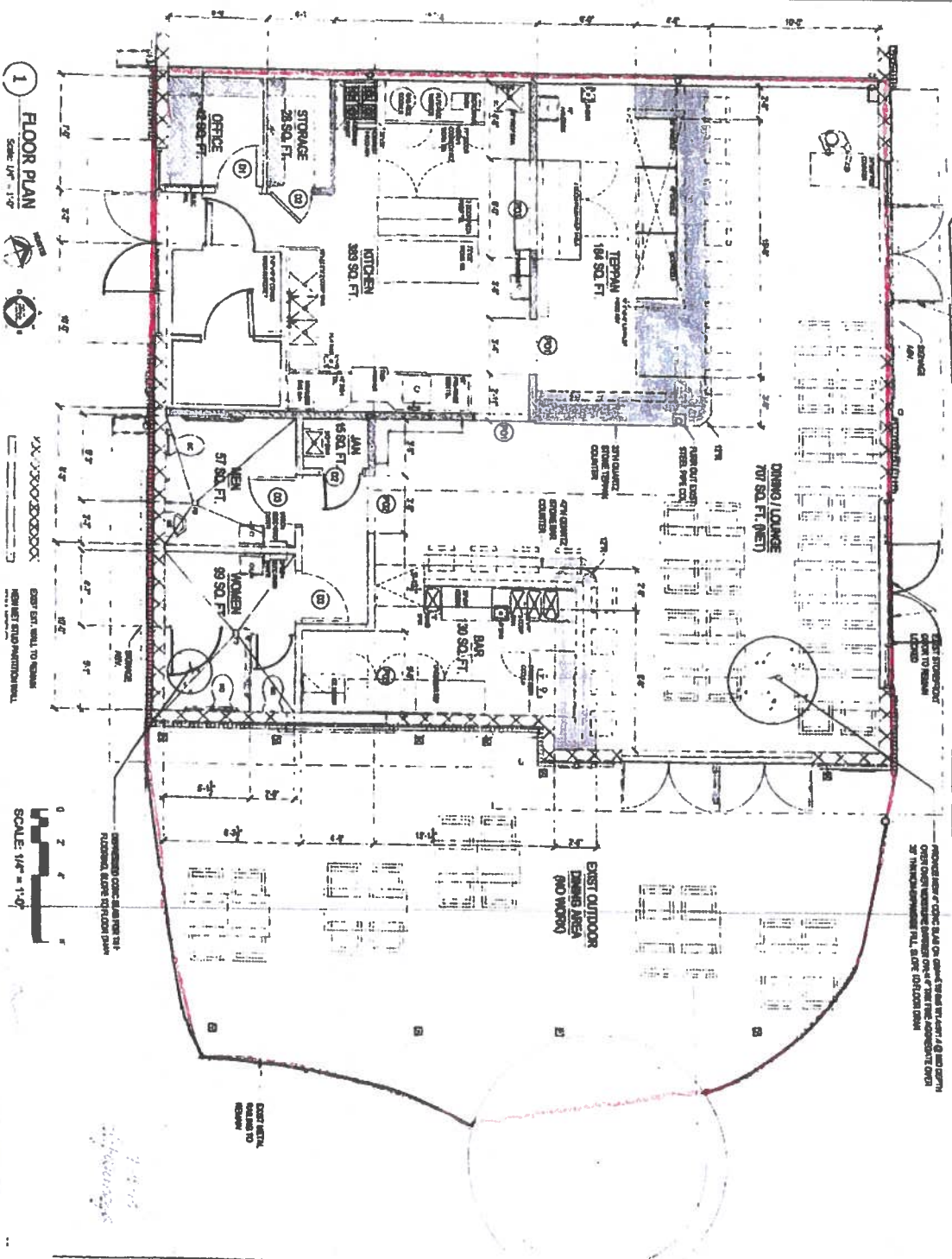
Notary Signature: _____ Date: 4/14/2021

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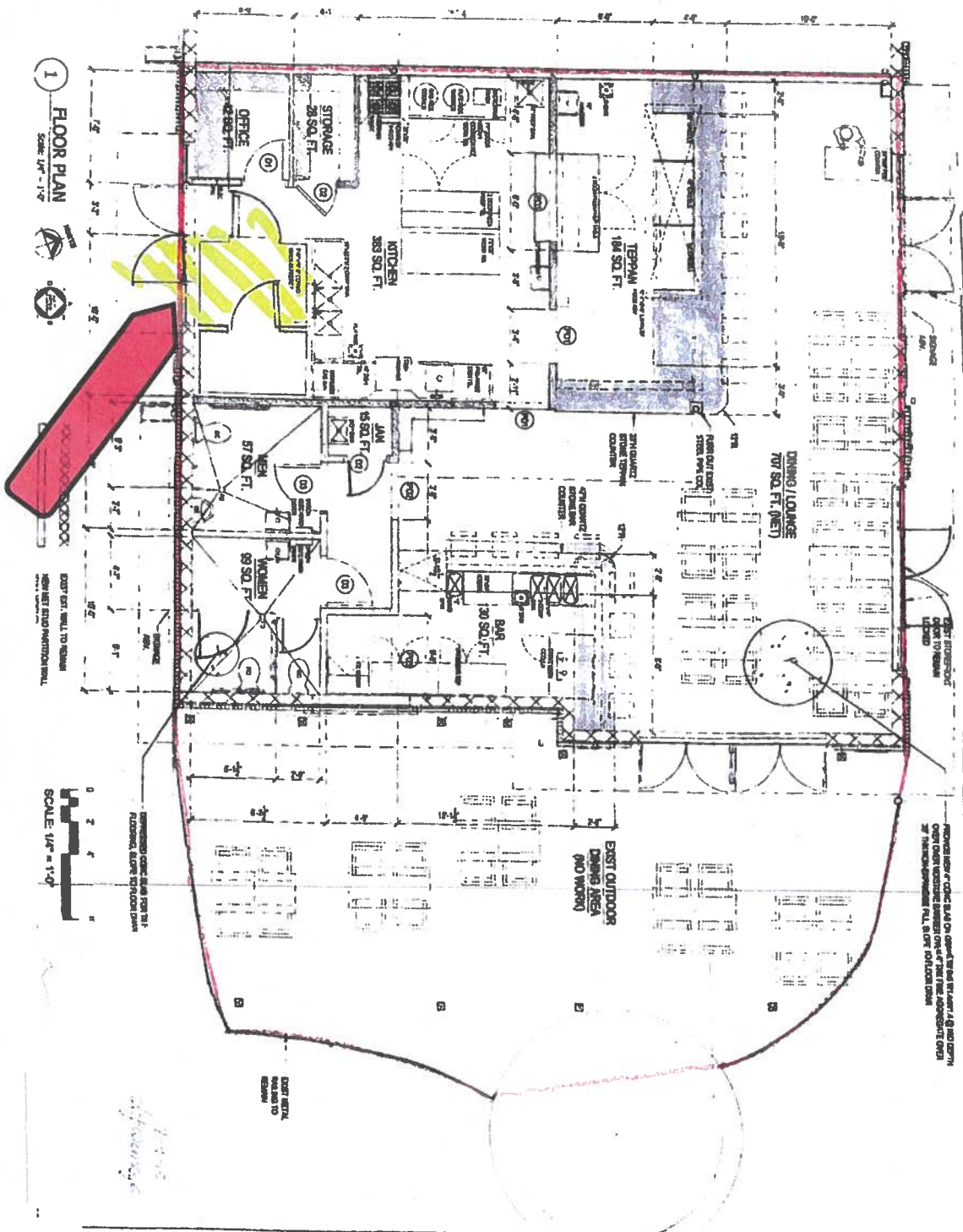
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C&C OF HONOLULU

2021 JUN 28 P 3:28



SHEET TITLE FLOOR PLAN REFLECTED C&G PLAN	PROJECT NO. 	KAPOLEI VILLAGE CTR. T.M.K. 9-1-148:008	DATE APR. 2015 BY T.M.K. DRAWN BY A001
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EXHIBIT B



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2021 JUN 28 P 3:28

PROJECT NO.	KAROLEI VILLAGE CTR.
T.M.K.	9-1-148-008
SHEET TITLE	FLOOR PLAN REFLECTED QLG PLAN
DATE	APRIL 2016
BY	AT
DRAWN BY	AT
SHEET NO.	A001

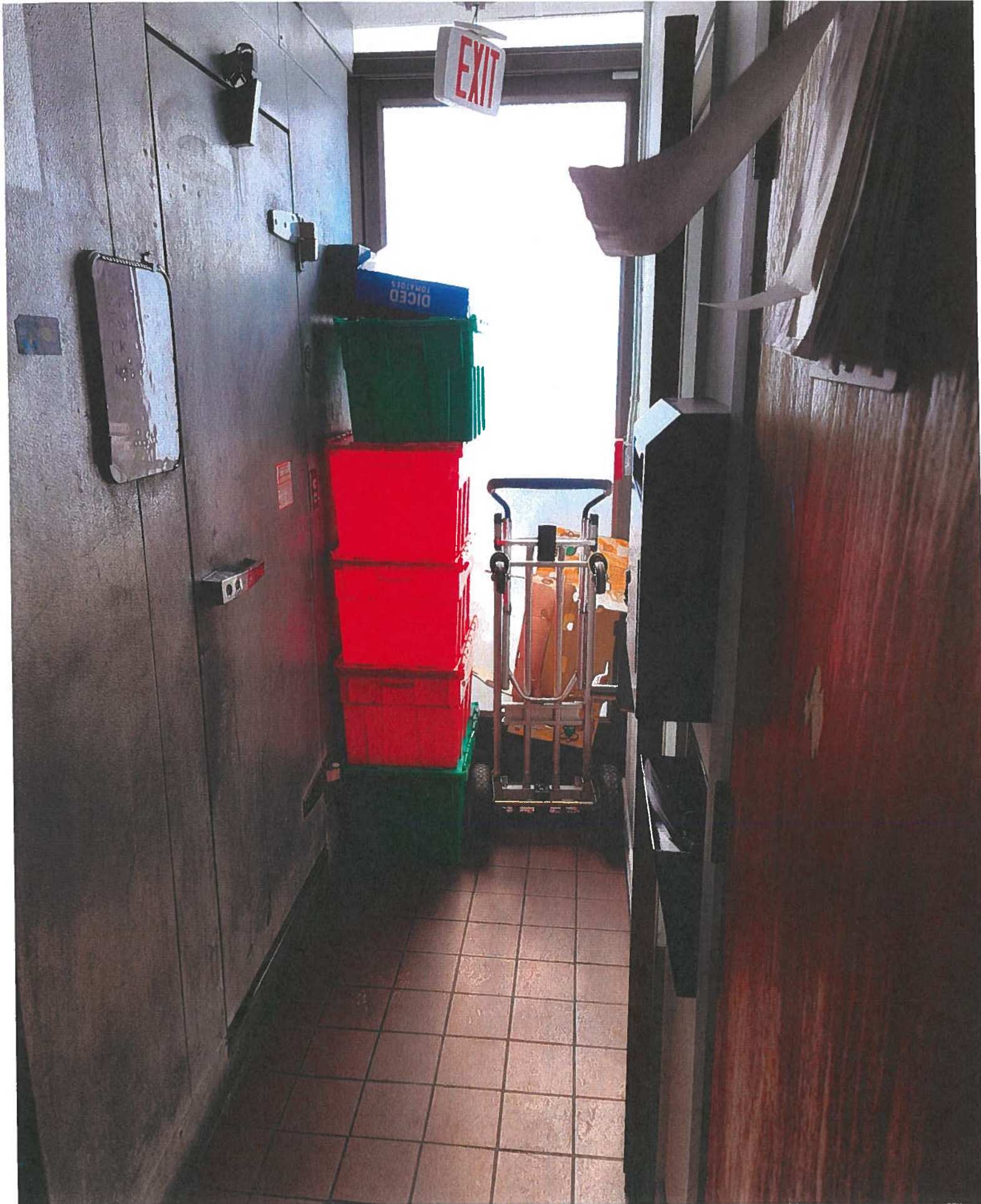


EXHIBIT C2



EXHIBIT C *20*



EXHIBIT C4

30% Justification

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C&C OF HONOLULU
2021 JUN 28 P 3:31

The Applicant, Cloroshko LLC, will operate a Mexican Restaurant similar to its other Honolulu licensed premises on King Street which has been in business for over two (2) years. Sales for the two years have been 80% to 20% food to liquor ratio.

The Applicant predicts this same ratio for this Application.

Respectfully Submitted,

Wayne Luke

Wayne Luke
Attorney for Applicant

6-28-2021

HISTORY OF VIOLATIONS

No Date Range Specified

LICENSE: R1379

PACOS TACOS CANTINA
555 N KING ST, #108

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	28228	05/29/2021	3-82-38.3	2021-0221			
WARNING	28225	05/21/2021	281-38				*

Records printed: 2

Printed: 12/16/2021

6:16PM

* - Denotes fine paid

CA: mn.mn - Denotes amount of fine collected by collection agency

Page: 1



LICENSING INVESTIGATIVE REPORT

DATE: December 27 2021

SUBJECT: New Application No. 22-23877 from B KONCEPTS, LLC dba
STUDIO B SOCIAL LOUNGE, Cabaret General Category 1-
Standard license, at 1200 Ala Moana Boulevard, Space B002224,
Honolulu (former location of Restaurants Unlimited, Inc. dba Ryan's
Grill At Ward Centre (R0028-Expired))

COMPANY STRUCTURE:

B Koncepts, LLC: Organized under the laws of the State of Hawaii and registered on February 25, 2021 as a member-managed limited liability company. The sole member is:

	<u>Title</u>	<u>Interest</u>
KAWASAKI, June H.	Member	100%

See **Exhibit A** for biographical background information of the sole member; KAWASAKI, June. CJIS check for criminal conviction was negative.

The Notification of Authorized Agent form was received October 5, 2021, applicant appoints Keith Kiuchi as authorized agents.

FINGERPRINTING:

Completed July 20, 2021; negative record of criminal conviction.

FINANCIAL STATEMENT FOR B KONCEPTS, LLC DBA STUDIO B SOCIAL LOUNGE AS OF

Financial Statement of the applicant, dated June 30, 2021, was submitted to the Commission on the August 2, 2021, and certified by the applicant to be substantially correct.

COST AND FINANCING:

According to the applicant, approximately \$40,000.00 was spent on the build-out; no financing involved-self funded.

TRADE NAME:

The applicant has a valid State of Hawaii Department of Commerce and Consumer Affairs Certificate of Trade Name Registration, the trade name "STUDIO B SOCIAL LOUNGE" is registered to the applicant from March 7, 2021 to March 6, 2026.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 1200 Ala Moana Blvd., Space B002224, Honolulu, 2nd floor space located at the Ewa-Makai side of B wing of Victoria Ward Center.

Details of premises: The virtually rectangular shaped space occupies approximately 7,000 square feet of floor space; mezzanine on the ewa-mauka corner of the kitchen area; currently under construction.

- Premises is divided into five focal sections;
 1. Outdoor seating area at the kkhd side; 900 square feet
 2. Full-service bar at the kkhd side to accommodate the outdoor patrons, indoor seating & lounge areas; 2,210 square feet
 3. Kitchen & Separated restrooms directly Ewa upon entry; 1,685 square feet
 4. Raised stage at the makai-ewa corner; 345 square feet.

Remaining space is the audience area or the dance floor located makai-central of the named sections.

Parking is available within the complex parking structure; mauka from the proposed premises.

See **Exhibit B1 & B2**, photo & floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Ala Moana Regional Park
1201 Ala Moana Blvd., Honolulu
Approximately 170 feet makai from proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

None

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of December 27, 2021, there are 11 cabaret general standard issued within the City and County of Honolulu.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business: The applicant proposed to operate a cabaret that will serve food, alcoholic and non-alcoholic beverages for on premises consumption; along with entertainment, dancing by patrons, and recorded music in accordance with Section 281-31 Licenses, Classes (a) (k). Burt Kawasaki will manage the business.

The restaurant will be open from 5:00 p.m. to 03:00 a.m. on Fridays, Saturdays & Sundays; 3-4 managers and 10-12 regular employees.

Lease: The Retail Space Lease was made on April 29, 2021, by and between VICTORIA WARD CENTER L.L.C., ("Landlord"), and B KONCEPTS, LLC ("Tenant").

Term: The term of the lease is for 5 years, commencing on (i) Nine Months after the Delivery Date, or (ii) the date Tenant opens for business in the Premises.

LIQUOR LICENSED INTEREST OF APPLICANT:

According to the LCIS, KAWASAKI, June was the sole member of KI VENTURE, LLC dba BONSAI RESTAURANT AND LOUNGE (R0875). from 09/22/2008 to 06/30/2015

KAWASAKI, June, sole member of KI VENTURES, LLC dba THE VILLA ULTRALOUGE (E1490), from 04/12/2011 to 06/30/2014.

KAWASAKI, June, co-member with 80% membership of KI VENTURES, LLC dba ARTISTRY EVENTS CENTER AND LOUNGE (E1579), from 08/02/2016 to 06/30/2017.

KAWASAKI, June, co-member with 80% membership of KI VENTURES, LLC dba ARTISTRY EVENTS CENTER AND LOUNGE (I0130) from 05/26/2017 to 06/30/2022.

**HISTORY OF VIOLATIONS OF OTHER LIQUOR LICENSE INTERESTS
DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:**

According to the LCIS, **Bonsai Restaurant and Lounge (R0875)** was issued a warning over six (6) years ago for failure to submit its sales report before July 31, 2015. Also recorded its last monetary fine, (\$500) paid in full on 04/12/2013.

According to the LCIS, **Artistry Events Center And Lounge (I0130)** was last cited on 05/12/2018 for violating §3-82-47.1(a) (Music, Dancing, Entertainment), and §3-82-38.4 (Employee Records); a total of \$750.00 was paid in full.

See **Exhibit C1 & C2**, copies of LCIS.

ZONING CLEARANCE:

A valid zoning clearance must be received before a liquor license is issued.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of December 27, 2021, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.


NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. At a minimum, the notification shall include the date of public hearing.

The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

Statutory requirements has been met.


Homer Tamapua
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator

 *[illegible]*

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/liq

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PERSONAL HISTORY AND AFFIDAVIT

2021 OCT -5 A 9:20

Rule 3-83-53.1

NAME KAWASAKI June Harumi Nishimura SOCIAL SECURITY NO. _____
 (Last, First Middle Maiden)

RESIDENTIAL ADDRESS _____ APT. NO. n/a

CITY _____ STATE _____ ZIP CODE _____

BUS. PH () _____ MOBILE PH () _____ EMAIL _____

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
 (City, State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 3 yrs YEAR COMPLETED 1963

NAME OF HIGH SCHOOL Roosevelt High Honolulu, HAWAII
 (include City and State)

NO. OF YEARS COMPLETED IN COLLEGE 6 yrs YEAR COMPLETED 1969

NAME OF COLLEGE University of HAWAII in Honolulu, HAWAII with BEd and MEd
 (include City and State)

OTHER EDUCATION / YEAR(S) ATTENDED additional college credits/training applicable to positions listed below

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
 *If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.

EMPLOYMENT RECORD (from the time school was completed to present; also indicate any periods of unemployment)

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
9/69		Secondary Teacher w/ DOE	HAWAII	Honolulu, HI
		" Counselor	"	"
	11/2014	Secondary Student Services Coordinator	"	"
2007		worked w/ family to organize	KI Ventures LLC	Hon, HI
2008 -	5/2015	worked w/ family: back-office	BONSAI	Hon, HI
12/2010 -	9/2013	"	"	VILLA Hon, HI
10/2013 -	8/2017	Member,	KI Ventures, LLC	Honolulu, HI
9/2017 -	Present	Member,	KI Ventures, LLC	Honolulu, HI

(If additional space is needed, please attach a separate sheet)

EXHIBIT A

NOTARY INITIAL: _____

List your experience in the liquor industry: back OFFICE staff since 2007

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C&C OF HONOLULU

Will you devote time to manage the subject business? ☒ YES ☐ NO

If answer is "YES", will it be ☐ FULL TIME, or ☒ PART-TIME? whatever I am able to do

2021 OCT -5 A 9:20

I, Jane H. KAWASAKI
(Print Applicant's Full Name)

of _____
(Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that I
(☐ have or ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 21st day of JULY in the year of 2021, personally appeared

JANE HAWAII KAWASAKI

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of agent(s) before Notary

Subscribed and sworn to before me this

21st day of JULY

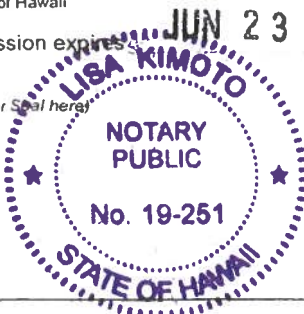
2021

Print Name Lisa Kimoto
Notary Public, State of Hawaii

My commission expires

JUN 23 2023

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: 7-21-2021

of Pages: 2

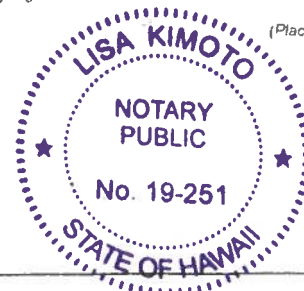
Notary Name: Lisa Kimoto

Doc. Description: PERSONAL HISTORY AND AFFIDAVIT

Notary Signature

7.21.2021
Date

(Place Notary Stamp or Seal here)

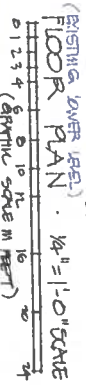


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EXHIBIT B1

2021 OCT 25 A 9:23

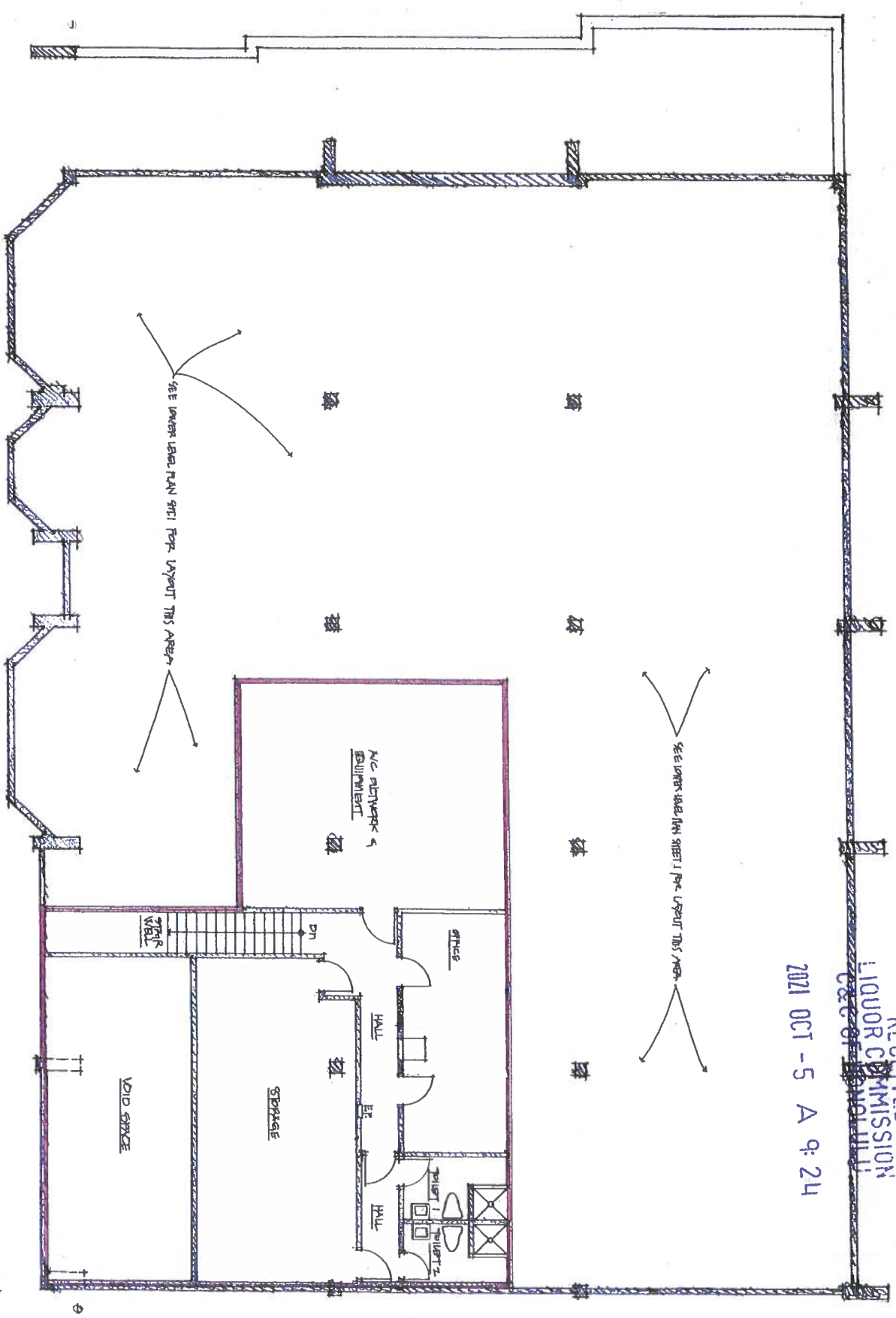


1	Date: 10/14 Officer: [Signature] Station: 07 Division: 10 Shift: 01	STUDIO B SOCIAL LOUNGE, INTR ALTRATIONS
		WARD CENTRE 2ND FLR. 1000A MOANA BLVD HONOLULU HAWAII 96814 TEL: 2-2-005.006

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REV 2	BY
REV 3	BY
REV 4	BY
REV 5	BY
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OCT 5 2021

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EXISTING UPPER LEVEL FLOOR PLAN. 14'10" x 10'8" SCALE

EXHIBIT B2

HISTORY OF VIOLATIONS

Violation Date: 12/22/2008 to: 12/22/2021

LICENSE: R0875 BONSAI RESTAURANT AND LOUNGE
500 ALA MOANA BLVD, SUITE 6-F

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	01615	08/01/2015	3-81-17.54(c)	2015-0191	REPRIMANDED		*
VIOLATION	22870	08/09/2012	3-81-17.54(d)	2012-0345	FINED	04/12/2013	500.00 *
WARNING	22869	10/12/2011	3-81-17.54				*
VIOLATION	01143	09/01/2011	3-81-17.54(c)	2011-0392	FINED	03/11/2012	200.00 *

Records printed: 4

EXHIBIT C1

HISTORY OF VIOLATIONS

Violation Date: 12/22/2017 to: 12/22/2021

LICENSE: 10130

ARTISTRY EVENTS CENTER AND LOUNGE
461 COOKE ST

<u>NOTICETYPE</u>	<u>NOTICE NUMBER</u>	<u>VIOLATION DATE</u>	<u>SECTION/RULE</u>	<u>CASE NUMBER</u>	<u>DISPOSITION</u>	<u>DUE DATE</u>	<u>AMOUNT FINED</u>
VIOLATION	25843	05/12/2018	3-82-47.1(a)	2018-0210	FINED	03/20/2019	500.00 *
VIOLATION	25844	05/12/2018	3-82-38.4(a)	2018-0210	FINED	03/20/2019	250.00 *
WARNING	25845	05/12/2018	3-82-38.4(b)				*
WARNING	25846	05/12/2018	3-82-38.5(a)				*

Records printed: 4

EXHIBIT C2

LICENSING INVESTIGATIVE REPORT

DATE: March 3, 2022

SUBJECT: Application No. 22-24424 from Park Event Services LLC, dba Park Event Services LLC, for a Special General license from 5:00 p.m. to 11:59 p.m. on Saturday, March 26, 2022, at 1 Aloha Tower Drive, Honolulu, (Aloha Tower Marketplace) for a Ladies of the 80's Concert Event

BACKGROUND:

On February 10, 2022, during the 29th meeting of the Honolulu Liquor Commission, the applicant Park Event Services LLC, dba Park Event Services LLC, appeared before the Commission for special license application #22-24257. This application was an event for a dance music concert to be held on Saturday, February 19, 2022, at 1 Aloha Tower Drive, located at the Aloha Tower Marketplace.

During the hearing, the Liquor Commission denied special license application #22-24257, from Park Event Services LLC.

Pursuant to Hawaii Revised Statutes §281-56 (8) For the next application for a license that was previously denied, refused, or withdrawn, evidence, to be provided by the applicant, of a substantial change in the circumstances that caused the previous denial, refusal, or withdrawal.

The applicant's member Jason Park submitted written statement in response to the denial of special license application #22-24257. For further information see **Exhibit A.**

COMPANY STRUCTURE:

PARK EVENT SERVICES LLC: formed under the laws of the State of Hawaii on June 24, 2024, as a member-managed limited liability company. The members are:

	<u>Title</u>	<u>Percentage</u>
Raymond Ho Jr.	Member	90%
Charles Jason Park	Member	10%
	Total	100%

CJIS Computer checks were negative for any felonies.

According to Notification of Authorized Agent, dated July 26, 2021, Charles Jason Park, Member-Manager of Park Event Services LLC, authorizes Devon Nekoba to serve as an authorized agent for the company before the Liquor Commission.

Authorized Agent Nekoba requested to use current information on file within two years of filing.

FINGERPRINTS:

Charles Park and Raymond Ho Jr., were fingerprinted on August 12, 2021. FBI/HCJDC checks were negative for any felony convictions.

DESCRIPTION OF PREMISES:

Details of Premises: The proposed licensed premises will be in the outdoor common area space (ground floor) and including parts of the 2nd floor lanai located at the Aloha Tower Marketplace/Hawaii Pacific University.

The overall dimensions reported by the applicant proposed to be licensed was 188 feet by 338 feet.

The 2nd floor lanai area will be an overall size of 38 feet by 58 feet.

See **Exhibit B**.

REASON FOR APPLYING:

To allow for the sale and consumption of liquor for the Ladies of the 80's concert at the Aloha Tower Marketplace.

INVESTIGATION:

The event will be for a Ladies of the 80's concert.

The event will be from 5:00 p.m. to 11:59 p.m. on Saturday, March 26, 2022.

The landlord's consent only permits the applicant to sell liquor from 5:00 p.m. to 11:15 p.m. for the liquor service to end. The event is permitted to remain open until 11:59 p.m.

Approximately **2,500** people are anticipated to attend the event.

Ticket prices will be from \$45.00 up to \$150.00.

The event will be open to the public. Liquor service will be no host.

According to the applicant, the event will **not** have minors under the age of 21, at the event.

There will be 3 performers live and DeeJay music provided as entertainment.

Jason Park (ph: 808-699-9540) will be the manager at the event.

INVESTIGATION (CONTINUED):

According to the supplemental information form, the applicant will have approximately 32 security personnel.

The applicant has plans to have ten (10) special duty Honolulu Police Officers for the event.

For further details refer to **Exhibit C** for more details.

LANDLORD'S CONSENT:

According to Landlord Authorization, dated January 15, 2022, and received by the Commission on January 15, 2022, Hawaii Lifestyle Properties LLC by Hawaii Pacific University, (David Kostecki) authorizes Applicant to sell and serve liquor at the subject premises for the event on March 26, 2022.

The landlord's consent only permits the applicant to sell liquor from 5:00 p.m. to 11:15 p.m. for liquor sales to end.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant must submit to the Liquor Commission the certified mailing return receipt before a liquor license is issued.

ZONING CLEARANCE:

The applicant must submit to the Liquor Commission the zoning clearance before a liquor license is issued.

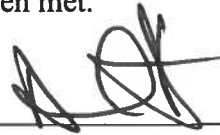
EMERGENCY PROCLAMATION/EMERGENCY ORDER:

If this application is approved, it is subject to the conditions and restrictions of the current Office of the Governor of the State of Hawaii Proclamations and the Office of the Mayor of the City and County of Honolulu Emergency Orders, as the same may be amended, updated, or revised.

Applicant shall comply at all times with any other laws applicable to the business of the licensee whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, and to all applicable rules and regulations of the liquor commission as the same may exist or be adopted or changed from time to time.

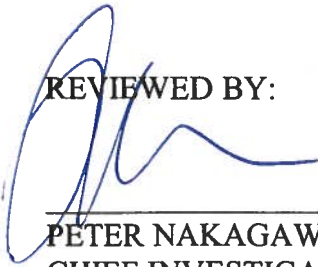
OPINION:

In my opinion, statutory requirements have been met.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:


PETER NAKAGAWA
CHIEF INVESTIGATOR
2/3/02
cm

Monday, February 28, 2022
Jason Park
Park Event Services LLC (Partner)

Aloha Devon,

As requested by you for consideration by the The Honolulu Liquor Commission. Park Event Services is under contract by Aloha Tower Marketplace (Hawaii Retail Properties / Hawaii Pacific University) to provide liquor service at events held at Aloha Tower Marketplace. In the case of the February 19 EDM "Hype Or Die" event application: 22-24257 PARK EVENT SERVICES LLC that was denied on February 10 we were not the event organizers however per our our contract we needed to apply for the special liquor license anyway. This EDM event was advertised and organized as an 18& Over event with an area for liquor for those over 21. Upon learning of the denial and understanding the commissions view of Electronic Dance Music based events, we as a company decided to completely distance ourselves from this event.

We have submitted new applications for two concerts to be held at Aloha Tower Marketplace 22-24424 (3/26/22 "Ladies Of The 80's" concert event) and 22-24432 (4/22/22 & 4/23/22 KCCN- FM100 Birthday Bash event) respectively. These events are substantially different than the previous EDM event in the following ways:

- **3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash are both strictly 21& Over Events.**
- **3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash are marketed t words an older, mature "local" audience. The music genera, for those events are 80's female hits and Island Music respectively.**
- **For 3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash We are employing 10 Special Duty HPD Officers & 32 guards from Rein Security. I believe "Hype or Die" employed 3 HPD officers.**
- **For the 3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash we are dedicating 49,468 Square Feet for our attendees. We are estimating an attendance of 2500 for the 3/26 event and 4,000 for 4/22 & 4/23 respectively.**
- **Both concerts 3/26 and 4/22-23 concerts will be produced by veteran concert promoters Big Ben Entertainment & Ray Jr. LLC. Both have successfully produced events for thousands in attendance with little to no incidents. Both are versed at running successful events at Aloha Tower Marketplace.**

I have added the floor plan and details of the 3/26 and 4/22-23 concerts to this letter.

Again, let me make it completely clear we completely respect The Honolulu Liquor Commissions position on organizing responsible public events and are dedicated in delivering this on behalf of our

client Aloha Tower Marketplace (Hawaii Retail Properties / Hawaii Pacific University.) I or my partner Raymond Ho Jr. can be reached at anytime should you have any further questions.

Mahalo,

A handwritten signature in black ink, appearing to read 'Jason Park', with a stylized flourish at the end.

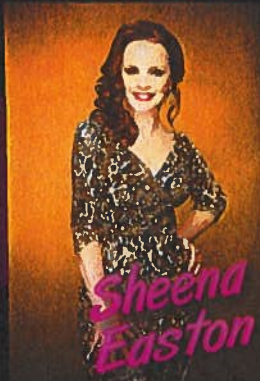
Jason Park
Park Event Services (Partner)
(808) 699-9540

80's

*I love
the eighties*

BIG BEN ENTERTAINMENT & HONOLULU'S DECADES 107.9
presents

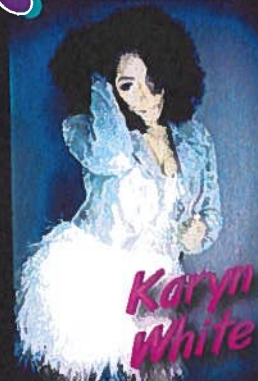
Ladies of the 80's



*Sheena
Easton*



*Taylor
Dayne*



*Karyn
White*

**SATURDAY, MARCH 26, 2022
ALOHA TOWER MARKETPLACE**

Honolulu, Hawaii

21+ Welcome | Doors open at 6:30 pm

FOR TICKETS GO TO:

LADIESOFTHE80S.EVENTBRITE.COM

VIP & GENERAL ADMISSION AVAILABLE

OR CALL: 808-979-5570



EVENT LAYOUT ON NEXT PAGE

2022 FEB 18 1 P 3: 0

ALOHA TOWER MARKETPLACE

5,000 capacity
 First Floor: 49,468 sq ft
 Second Floor: 2,204 sq ft
 Security - 32 Guards
 HPD - 10 Officers
 Paramedic - 3 Medics
 ID & Covid Check done at Entry
 Bag Check done at Entry
 Event Wristbands will be given at Entry

Red Line Indicates Permitted License Area
 Black Line Indicates Crowd Control Baricades

108'
 108'
 80'
 338'
 208'
 38'
 58'
 24'

AREAS: MEDIC STATION, RESTROOMS, SMOKING AREA, FOOD / MERCH VENDORS, SECURITY STATION, VIP AREA, STAGE, BAR 1, BAR 2, BAR 3, BAR 4, BAR 5, ARTIST AREA, ARTIST WALK WAY, ARTIST GREENROOM, 2ND FLOOR LANAI, VIP BATHROOMS, ARTIST CHECK IN.

EXHIBIT B

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
 INTERNET ADDRESS: www.honolulu.gov/liq

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C&C OF HONOLULU

2022 FEB 17 P 2:39

SUPPLEMENTAL INFORMATION FOR SPECIAL & CATERING LIQUOR LICENSE APPLICATION

For Special License:

Up to three (3) event days per application. Application(s) must be submitted a minimum of six (6) weeks prior to event.

For Catering License:

For Restaurant and Hotel Licensees only. Application must be submitted a minimum of three (3) weeks prior to event.

Licensee Name: Park Event Services LLC Liquor License #: _____
 Licensee Contact Name: Jason Park Title: Partner

Caterer Only: Name of Registered Manager on Duty at Event: _____

Manager on Duty Phone: 808 699-9540 Manager on Duty Email: _____

Start Date & Time (include set-up time): March 26, 2022 (10 am setup) End Date & Time (include clean-up time): March 27, 2022 1am cl

Description of Event: "Ladies Of The 80's " Concert

Name of Event Promoter: Benjamin Sesepasara

Event Coordinator Phone: (808) 9794170 Event Coordinator Email: bigben.entertainment@icloud.

Reason for applying for the Special or Catering License: Beverage Service at 80's themed concert

Type of license exercised on previous occasions, if any; number of times approved; when, where and whether or not license was exercised without incident. Special Licence Granted several times without incident.

Most recently January 8, 2022 (Alohalaulea)

How will liquor be dispensed?

☐ Host ☒ No-Host

Regarding Drinks:

- Type of drinks to be served (including soft drinks): Soda, water, beer, wine, and seltzers
- Type of payment (cash or script): Cash & Credit Card
- Type of serving container (disposable cup, glass, etc.): cans , bottles, and beer / wine poured in plasti
- Who and how many people will be dispensing the liquor? (applicant's employees, other people?): _____
Freelance bartenders and servers - All carry liquor card.

☐ Attach list of names and titles of people dispensing liquor.

Attendance & Admission:Approximate number of people expected to attend event: 2500 Will anyone under 21 years of age attend? noCheck One: ☒ Event Open to Public ☐ By Invitation OnlyWill there be an admission charge? YES If yes, what is the admission ticket price? \$45 (Gen) \$150 (ITickets will be sold ☒ In Advance ☐ At the Door**Entertainment:**a. Describe type of entertainment (live or recorded): Live Entertainment by iconic 80's pop artistsb. Name of Group performing: 80's performers Taylor Dayne, Karyn White, and Sheena Eastonc. Number of Performers: 3☐ Attach list of names, ages and parental approval documents for all performers under 18 years of age.d. Describe where on the premises the entertainment will take place: MAIN STAGE
Aloha Tower Marketplace.e. Hours of entertainment, provide start and end times: 6:30pm - 11:30PM**Security will be provided by:**a. Name of Agency: Rein Hawaii Security & Investigations LLCb. Number of Security Personnel: 32 Security Guardsc. Other Security Information: 10 SPECIAL DUTY HPD**For Catering License Only:**Will wholesale liquor be delivered to the catered site? ☐ Yes ☐ No

Who is hiring applicant to cater food and liquor? _____

Name of Outside Promoter (if any): _____

RECEIVED
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2022 FEB 17 P 2:39_____
SIGNATURE Licensee (Owner) / Authorized Agent

Jason Park

PRINT Licensee (Owner) / Authorized Agent

2/17/2022

DATE

Partner

TITLE

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (Form# LIQ-LIC-106), signed by the Director.

For HLC Office Use Only

Effective Date/Time

START: _____ a.m. / p.m.

☐ Approved☐ Denied☐ Referred

END: _____ a.m. / p.m.

HLC STAFF INITIAL: _____

LCIS ENTRY DATE: _____

Franklin "Don" Pacarro, Jr.
Administrator_____
Date



LICENSING INVESTIGATIVE REPORT

DATE: March 3, 2022

SUBJECT: Application No. 22-24432 from Park Event Services LLC, dba Park Event Services LLC, for a Special General license from 5:00 p.m. to 11:59 p.m. on Friday, April 22, 2022, and Saturday, April 23, 2022, at 1 Aloha Tower Drive, Honolulu, (Aloha Tower Marketplace) for KCCN Birthday Bash

BACKGROUND:

On February 10, 2022, during the 29th meeting of the Honolulu Liquor Commission, the applicant Park Event Services LLC, dba Park Event Services LLC, appeared before the Commission for special license application #22-24257. This application was an event for a dance music concert to be held on Saturday, February 19, 2022, at 1 Aloha Tower Drive, located at the Aloha Tower Marketplace.

During the hearing, the Liquor Commission denied special license application #22-24257, from Park Event Services LLC.

Pursuant to Hawaii Revised Statutes §281-56 (8) For the next application for a license that was previously denied, refused, or withdrawn, evidence, to be provided by the applicant, of a substantial change in the circumstances that caused the previous denial, refusal, or withdrawal.

The applicant's member Jason Park submitted written statement in response to the denial of special license application #22-24257. For further information see Exhibit A.

COMPANY STRUCTURE:

PARK EVENT SERVICES LLC: formed under the laws of the State of Hawaii on June 24, 2024, as a member-managed limited liability company. The members are:

	<u>Title</u>	<u>Percentage</u>
Raymond Ho Jr.	Member	90%
Charles Jason Park	Member	10%
	Total	100%

CJIS Computer checks were negative for any felonies.

According to Notification of Authorized Agent, dated July 26, 2021, Charles Jason Park, Member-Manager of Park Event Services LLC, authorizes Devon Nekoba to serve as an authorized agent for the company before the Liquor Commission.

Authorized Agent Nekoba requested to use current information on file within two years of filing.

FINGERPRINTS:

Charles Park and Raymond Ho Jr., were fingerprinted on August 12, 2021. FBI/HCJDC checks were negative for any felony convictions.

DESCRIPTION OF PREMISES:

Details of Premises: The proposed licensed premises will be in the outdoor common area space (ground floor) and including parts of the 2nd floor lanai located at the Aloha Tower Marketplace/Hawaii Pacific University.

The overall dimensions reported by the applicant proposed to be licensed was 188 feet by 338 feet.

The 2nd floor lanai area will be an overall size of 38 feet by 58 feet.

See **Exhibit B.**

REASON FOR APPLYING:

To allow for the sale and consumption of liquor for the annual KCCN FM 100 Birthday Bash Concert at the Aloha Tower Marketplace.

INVESTIGATION:

The event will be from 5:00 p.m. to 11:59 p.m. on Friday, April 22, 2022, and Saturday, April 23, 2022.

The landlord's consent only permits the applicant to sell liquor from 5:00 p.m. to 11:15 p.m. for the liquor service to end. The event is permitted to remain open until 11:59 p.m.

Approximately **4000** people are anticipated to attend the event.

Ticket prices will be from \$25.00 up to \$60.00 per night.

The event will be open to the public. Liquor service will be no host.

According to the applicant, the event **will not** have minors under the age of 21, at the event.

There will be 30 performers live and DeeJay music provided as entertainment.

Jason Park (ph: 808-699-9540) will be the manager at the event.

INVESTIGATION (CONTINUED):

According to the supplemental information form, the applicant will have approximately 32 security personnel.

The applicant has plans to have ten (10) special duty Honolulu Police Officers for the event.

For further details refer to **Exhibit C** for more details.

LANDLORD'S CONSENT:

According to Landlord Authorization, dated January 15, 2022, and received by the Commission on January 15, 2022, Hawaii Lifestyle Properties LLC by Hawaii Pacific University, (David Kostecki) authorizes Applicant to sell and serve liquor at the subject premises for the event on April 22, 2022, and April 23, 2022.

The landlord's consent only permits the applicant to sell liquor from 5:00 p.m. to 11:15 p.m. for liquor sales to end for each event date.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant must submit to the Liquor Commission the certified mailing return receipt before a liquor license is issued.

ZONING CLEARANCE:

The applicant must submit to the Liquor Commission the zoning clearance before a liquor license is issued.

EMERGENCY PROCLAMATION/EMERGENCY ORDER:

If this application is approved, it is subject to the conditions and restrictions of any current Office of the Governor of the State of Hawaii Proclamations and the Office of the Mayor of the City and County of Honolulu Emergency Orders, as the same may be amended, updated, or revised.

Applicant shall comply at all times with any other laws applicable to the business of the licensee whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, and to all applicable rules and regulations of the liquor commission as the same may exist or be adopted or changed from time to time.

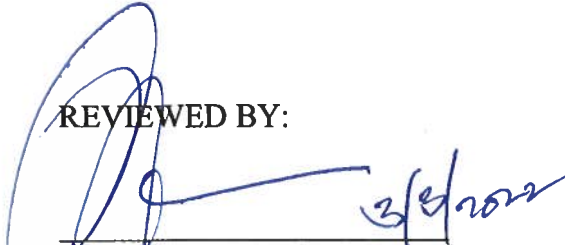
OPINION:

In my opinion, statutory requirements have been met.



DANIEL SATO
SUPERVISING INVESTIGATOR

REVIEWED BY:


PETER NAKAGAWA
CHIEF INVESTIGATOR

3/4/2022
ch

Monday, February 28, 2022
Jason Park
Park Event Services LLC (Partner)

Aloha Devon,

As requested by you for consideration by the The Honolulu Liquor Commission. Park Event Services is under contract by Aloha Tower Marketplace (Hawaii Retail Properties / Hawaii Pacific University) to provide liquor service at events held at Aloha Tower Marketplace. In the case of the February 19 EDM "Hype Or Die" event application: 22-24257 PARK EVENT SERVICES LLC that was denied on February 10 we were not the event organizers however per our our contract we needed to apply for the special liquor license anyway. This EDM event was advertised and organized as an 18& Over event with an area for liquor for those over 21. Upon learning of the denial and understanding the commissions view of Electronic Dance Music based events, we as a company decided to completely distance ourselves from this event.

We have submitted new applications for two concerts to be held at Aloha Tower Marketplace 22-24424 (3/26/22 "Ladies Of The 80's" concert event) and 22-24432 (4/22/22 & 4/23/22 KCCN- FM100 Birthday Bash event) respectively. These events are substantially different than the previous EDM event in the following ways:

- **3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash are both strictly 21& Over Events.**
- **3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash are marketed t words an older, mature "local" audience. The music genera, for those events are 80's female hits and Island Music respectively.**
- **For 3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash We are employing 10 Special Duty HPD Officers & 32 guards from Rein Security. I believe "Hype or Die" employed 3 HPD officers.**
- **For the 3/26/2022 Ladies Of The 80's & 4/22/2022 – 4/23/2022 KCCN-FM100 Birthday Bash we are dedicating 49,468 Square Feet for our attendees. We are estimating an attendance of 2500 for the 3/26 event and 4,000 for 4/22 & 4/23 respectively.**
- **Both concerts 3/26 and 4/22-23 concerts will be produced by veteran concert promoters Big Ben Entertainment & Ray Jr. LLC. Both have successfully produced events for thousands in attendance with little to no incidents. Both are versed at running successful events at Aloha Tower Marketplace.**

I have added the floor plan and details of the 3/26 and 4/22-23 concerts to this letter.

Again, let me make it completely clear we completely respect The Honolulu Liquor Commissions position on organizing responsible public events and are dedicated in delivering this on behalf of our

EXHIBIT A

client Aloha Tower Marketplace (Hawaii Retail Properties / Hawaii Pacific University.) I or my partner Raymond Ho Jr. can be reached at anytime should you have any further questions.

Mahalo,

A handwritten signature in black ink, appearing to read 'Jason Park', with a stylized flourish at the end.

Jason Park
Park Event Services (Partner)
(808) 699-9540

BUD LIGHT JAMESON

ONLY \$3.20 PER DAY
PLUS FEES (LIMITED)

FM 100

21+

FM 100 Birthday Bash!

2022

32 YEARS OF TRADITION

FRIDAY APRIL 22	SATURDAY APRIL 23
KAPENA	KAIKENA SCANLAN
EKOLU	TEN FEET
PENI DEAN	ANUHEA
KAWAO	NATURAL VIBRATION
MICAH G	BIG EVERYTIME
KALAE PARISH	POHAKU
CHARDONNAY	SONS OF YESHUA
HUMAN ERA	KELANDY

ALOHA TOWER MARKETPLACE
HONOLULU, HI

Purchase tickets online at
www.FMREVENTS.net

FM 100 *Ray Jr*

EVENT LAYOUT ON NEXT PAGE

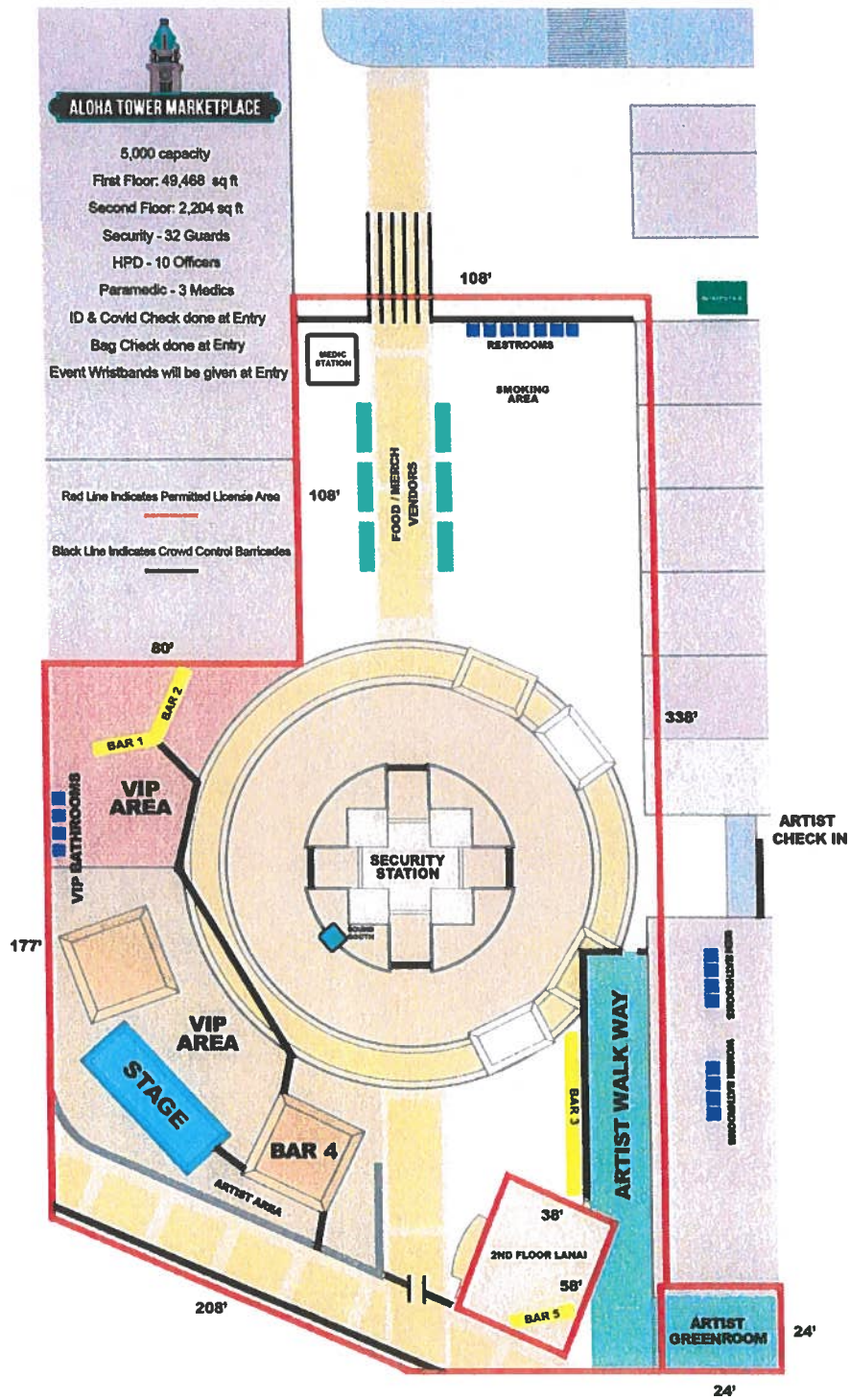
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2022 FEB 18 P 4:24

EXHIBIT A

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2022 FEB 18 P 4: 20

21+ EVENT LAYOUT



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-2401
PHONE (808) 768-7300 • EMAIL HLC@honolulu.gov
INTERNET ADDRESS: www.honolulu.gov/liq

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2022 FEB 18 P 4:20

SUPPLEMENTAL INFORMATION FOR SPECIAL & CATERING LIQUOR LICENSE APPLICATION

For Special License:

Up to three (3) event days per application. Application(s) must be submitted a minimum of six (6) weeks prior to event.

For Catering License:

For Restaurant and Hotel Licensees only. Application must be submitted a minimum of three (3) weeks prior to event.

Licensee Name: Park Event Services LLC Liquor License #: _____
Licensee Contact Name: Jason Park Title: Partner

Caterer Only: Name of Registered Manager on Duty at Event: _____

Manager on Duty Phone: 808 699-9540 Manager on Duty Email: jayparkpromo@gmail.com

Start Date & Time (include set-up time): April 22 & 23 2022 8am setup End Date & Time (include clean-up time): April 24 2022 1am clean

Description of Event: Island Music Concert Featuring Music artist played on KCCN FM 100

Name of Event Promoter: Raymond Ho Jr.

Event Coordinator Phone: (808) 954-1077 Event Coordinator Email: rayjr@tmrevents.net

Reason for applying for the Special or Catering License: Beverage Service at island music concert

Type of license exercised on previous occasions, if any; number of times approved; when, where and whether or not license was exercised without incident. Special Licence Granted several times without incident.

Most recently January 8, 2022 (Alohalaulea)

How will liquor be dispensed?

☐ Host ☒ No-Host

Regarding Drinks:

a. Type of drinks to be served (including soft drinks): Soda, water, beer, seltzers

b. Type of payment (cash or script): cash & credit card

c. Type of serving container (disposable cup, glass, etc.): cans, Aluminum bottles,

d. Who and how many people will be dispensing the liquor? (applicant's employees, other people?): _____
Freelance bartenders and servers - All carry liquor card.

☐ Attach list of names and titles of people dispensing liquor.

Attendance & Admission:

Approximate number of people expected to attend event: 4000 Will anyone under 21 years of age attend? no
Check One: ☒ Event Open to Public ☐ By Invitation Only **2022 FEB 18 P 4: 20**
Will there be an admission charge? YES If yes, what is the admission ticket price? \$25- \$60 per night
Tickets will be sold ☒ In Advance ☐ At the Door

Entertainment:

- a. Describe type of entertainment (live or recorded): Live
Island Music Concert Featuring Music artist played on KCCN FM 100
b. Name of Group performing: Kapena, Ekolu, Peni Dean, Ten Feet, Anuhea, Kaikena Scanalan, e
c. Number of Performers: 30
☐ Attach list of names, ages and parental approval documents for all performers under 18 years of age.
d. Describe where on the premises the entertainment will take place: Main stage at Aloha Tower
e. Hours of entertainment, provide start and end times: 5:00pm-11:30pm

Security will be provided by:

- a. Name of Agency: Rein Hawaii Security & Investigations LLC
b. Number of Security Personnel: 32
c. Other Security Information: 10 Special Duty HPD

For Catering License Only:

Will wholesale liquor be delivered to the catered site? ☐ Yes ☐ No
Who is hiring applicant to cater food and liquor? _____
Name of Outside Promoter (if any): _____

SIGNATURE Licensee (Owner) / Authorized Agent

Jason Park

PRINT Licensee (Owner) / Authorized Agent

2/17/2022

DATE

Partner

TITLE

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (Form# LIQ-LIC-106), signed by the Director.

For HLC Office Use Only

Effective Date/Time

START: _____ a.m. / p.m.

☐ Approved

☐ Denied

☐ Referred

END: _____ a.m. / p.m.

HLC STAFF INITIAL: _____

LCIS ENTRY DATE: _____

Franklin "Don" Pacarro, Jr.
Administrator

Date



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LIQUOR COMMISSION
C&C OF HONOLULU

2022 FEB 25 P 3:50

Please place on
Agent 3/10/22 ch

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

APPLICATION FOR
LIQUOR LICENSE

DO NOT FILL IN THIS SPACE	
APPLICATION NO. <u>22-24452</u>	
License Fee	
Publication Cost	<u>10</u>
TOTAL	
<input type="checkbox"/> CASH <input type="checkbox"/> CREDIT CARD <input type="checkbox"/> CHECK:	RECEIPT #

1. APPLICATION TYPE (Check One Only)

- | | | |
|---|--|---|
| <input type="checkbox"/> New
<input type="checkbox"/> New w/Stand Alone Temp
Must submit 2 application packets:
• New Liquor License (<i>original</i>)
• Stand Alone Temporary Liq License
(Copies of duplicate forms acceptable for Temp. applications) | <input type="checkbox"/> Transfer
<input type="checkbox"/> Transfer w/Temporary
Must submit 2 application packets:
• Transfer of Liquor License (<i>original</i>)
• Temporary Liquor License | <input type="checkbox"/> Change to Existing License
<input type="checkbox"/> Catering
<input checked="" type="checkbox"/> Special (Non-Profit)
<input type="checkbox"/> Special (For Profit)
<input type="checkbox"/> Extension of Temp License
<input type="checkbox"/> Provide copy of existing Temporary License application
<input type="checkbox"/> Provide extension dates
Start _____ End _____ |
|---|--|---|
- Liquor License # (if existing): _____

APPLICATION INFORMATION

2. Classification: Special (Non-Profit)	3. Kind: Beer & Wine	4. Category:	5. 1 st Event Date (If applicable): 04/23/2022
6. FEIN: 99-0272260	7. State GE Tax #: W40432108-01	8. DCCA File #: 732-1102 <u>h</u>	
9. Business Name: Saint Louis School		10. Trade Name/ DBA: Saint Louis School	
11. Business Mailing Address: 3142 Waialae Avenue Honolulu, Hawaii 96816			
12. Business Phone #: (808) 739 - 4727	Business Fax #: (808) 739 - 4780	Business Email Address: gmedeiros@saintlouishawaii.org	
13. Primary Contact Mailing Address: 3142 Waialae Avenue Honolulu, Hawaii 96816			
14. Primary Contact (Full Name): Richard S.K. Gonsalves	Primary Contact Phone #: (808) 739 - 4727	Primary Contact Email Address: rgonsalves@saintlouishawaii.org	
15. Premise Physical Address: Saint Louis School, Clarence T.C. Ching Athletic Center and SLS Baseball Field 3142 Waialae Avenue Honolulu, Hawaii 96816			Tax Map Key #:

16. FOR TRANSFER APPLICATIONS ONLY

Print Name

Signature of Transferor (for Transfer Applications Only)

Date

17. PAYMENT BY CASH, CASHIER'S CHECK, MONEY ORDER, OR CREDIT CARD
(MASTERCARD/VISA) MAY BE REQUIRED UPON APPLICATION SUBMITTAL.
SEE FORM CHECKLIST FOR PAYMENT AMOUNT

18. NOTARY INITIAL: _____

19. APPLICANT INFORMATION *(Check One)*

☐ **INDIVIDUAL OR SOLE PROPRIETOR**

Enter Applicant's Resident Address:

**LIQUOR COMMISSION
C&C OF HONOLULU**

2022 FEB 25 P 3:50

☐ Applicant is 21 years of age or older

☐ **CORPORATION ONLY**

- Form LIQ-LIC-103 (Add/Delete Officers/Directors)
(Includes shareholders owning twenty-five percent (25%) or more of business)

Total # of outstanding shares:

☐ **PARTNERSHIP OR LLC**

- Form LIQ-LIC-104 (Add/Delete Members/Managers/Partners)

☐ Partners are 21 years of age or older

☐ **UNINCORPORATED ASSOCIATION**

- Form LIQ-LIC-104 (Add/Delete Members/Managers/Partners)

☐ Individuals are 21 years of age or older

☒ **NON-PROFIT ENTITY**

- IRS "Letter of Determination" stating 501(3)c status/document validating Non-Profit
- LIQ-LIC-107 Supplemental Information for a One-Day Special License

20. CONDITIONS OF APPLICATION

1. **(Applicable to Individual Only).** The undersigned individual who resides at the Applicant's Resident address as indicated on the application is the sole owner of the business proposed to be licensed; and is not a person who has been convicted of a felony and not pardoned.
2. **(Applicable to Corporation Only).** The individuals indicated on the application (and attached sheet(s) if applicable) are all the officers and directors of the applicant corporation; stockholders who own twenty-five percent (25%) or more of its outstanding capital stock; and that each such officer, director, and stockholder is no less than the legal majority age and is not a person who has been convicted of a felony and not pardoned.
3. **(Applicable to Partnership or LLC).** The individuals indicated on the application (and attached sheets(s) if applicable) are all the members of the undersigned partnership or LLC [Manager Managed LLC's, check manager(s)] each of whom is not a person who has been convicted of a felony and not pardoned, and their respective ages and places of residence are listed.
4. **(Applicable to Unincorporated Association ONLY).** The individuals indicated on the application are all members of the applicant association and the full names of the officers thereof, each of whom is not a person who has been convicted of a felony and not pardoned, and their respective ages and residence are listed.
5. No person other than the applicant named herein will have any interest in the business affected by this application without prior approval of such interest by the Commission.
6. No liquor license heretofore issued to applicant has been revoked within the term of two years preceding the date of this application.
7. The applicant (or if applicant is an association or corporation, the officers and directors thereof) is familiar with the provisions of the State statutes relating to intoxicating liquors and with the Rules of the Commission and gives consent for a background investigation for determining fitness prior to the issuance of a liquor license.
8. The financial statements attached hereto and made part hereof represents a full, true and correct statement of the applicant's financial condition as of the date given on the statement.
9. Prior to the issuance of license, the applicant will submit a certificate from the State Director of Taxation and Federal Internal Revenue Service showing the payment of all delinquent taxes, penalties, or interest and if liquors are to be sold for consumption on the licensed premises, a Department of Health sanitation certificate.
10. **Applicant Notification and Record Challenge:** Your fingerprints will be used to check the criminal history records of the FBI. You have the opportunity to complete or challenge the accuracy of the information contained in the FBI identification record. The procedures for obtaining a change, correction, or updating an FBI identification record are set forth in Title 28, CFR, 16.34

21. APPLICANT(S) SIGNATURE NOTARIZED *(Notary not required for Special Non-Profit)*

Notarized Applicant(s) Signature	Printed Name	Date
1	Dr. Glenn Medeiros	02/24/2022
2		
3		
4		

22. NOTARY INITIAL: _____

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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2022 FEB 25 P 3:50

NOTIFICATION OF AUTHORIZED AGENT

Rule 3-81-19.3

☐ Limited Representation *

☐ Unlimited Representation

Effective Date/Time From: 04/23/2022

To: 04/23/2022

Maximum representation is up to one (1) year.

License No. _____

Licensee Name: Saint Louis School

Doing Business As (DBA): Saint Louis School

Premise Address: 3142 Waialae Avenue

Honolulu, Hawaii 96816

Licensee Contact Name: Dr. Glenn Medeiros

Title: President

Phone: (808) 739-4828

Fax: _____

Email: gmedeiros@saintlouishawaii.org

Authorized Agent Name: Richard S.K. Gonsalves

Title: Director of Development

Phone: (808) 739-4704

Fax: _____

Email: rgonsalves@saintlouishawaii.org

SIGNATURE Agent

02/24/2022

Date

Dr. Richard Scott K. Gonsalves

PRINT Agent Name

Licensee authorizes above agent for up to 1 (one) year unlimited representation to serve as an authorized agent before the City and County of Honolulu Liquor Commission on behalf of the Licensee. If representation is not unlimited, please specify.

*

Authorized Agent Limitations: _____

SIGNATURE Licensee (Owner)

02/24/2022

Date

Dr. Glenn Medeiros

PRINT Licensee (Owner)

OFFICE USE:

LCIS ENTRY DATE: _____

HLC STAFF INITIAL: _____

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/liq

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2022 FEB 25 P 3: 54

LANDLORD AUTHORIZATION
FOR SALE AND SERVICE OF LIQUOR

Rule 3-83-53.1

Date: February 24, 2022

Landlord Name: Saint Louis School

Mailing Address: 3142 Waialae Avenue
Honolulu, Hawaii 96816

Landlord Contact Name: Dr. Glenn Medeiros Title: President

Phone: 808-739-4857 Fax: 808-739-4780 Email: gmedeiros@saintlouishawaii.org

I AUTHORIZE:

Applicant: Saint Louis School Liquor License No. _____

Trade Name (DBA): Saint Louis School

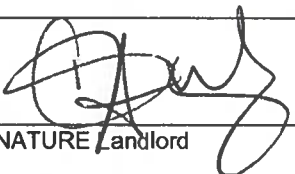
to sell and service liquor at Clarence T.C. Ching Athletic Center and SLS Baseball Field, 3142 Waialae Avenue Honolulu, Hawaii 96816
Address

Date(s) of Event: April 23, 2022

Start Time/End Time: 5:00 pm - 10:00 pm

Furthermore, I authorize Honolulu Liquor Commission Investigators to inspect the property as required for the sale and service of liquor.

Comments: _____


SIGNATURE Landlord

February 24, 2022
Date

Dr. Glenn Medeiros
PRINT Name

President
Title

OFFICE USE:

LCIS ENTRY DATE: _____ HLC STAFF INITIAL: _____

2022 FEB 25 P 3: 50

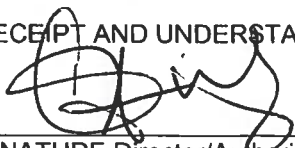
**NON-PROFIT
One-Day Special License
STATEMENT OF UNDERSTANDING**

Licensee Applicant: Saint Louis School

In exchange for the granting of a SPECIAL ONE-DAY license, the above-named Licensee acknowledges that:

1. The Licensee is a not-for-profit organization of which no part of the income or profit derived from the use of this special license shall be distributable to its members, directors or officers. If a third party will receive a distribution, please note if the third party is a not-for-profit entity and confirm funds will be used for the required purpose of the applicant.
2. The Licensee shall comply with the liquor laws of the State of Hawaii and the Rules of the Liquor Commission of the City and County of Honolulu [reference HRS 281-31(j)]. Additionally, the Licensee is responsible for its employees', contractors' or agents' compliance with the liquor laws of the State of Hawaii and the Rules of the Liquor Commission.
3. The Licensee is not required to register its employees or maintain time records for its employees as required by Rules 3-82-38.4 and 3-82-38.5 of the Rules of the Liquor Commission.
4. Permissible hours of operation for a Special One-Day license for the sale, service or consumption of liquor shall be from 6:00 a.m. to 12:00 midnight or as otherwise approved by the Liquor Commission.
5. Minors under the age of eighteen (18) will not be allowed to sell or serve liquor; minors under the age of twenty-one (21) will be closely supervised by a competent adult.
6. Liquor Control Investigators are authorized to enter the premises and/or function to inspect for compliance with the liquor laws of the State of Hawaii and the Rules of the Liquor Commission.
7. The Licensee will be held accountable for maintaining fiscal records of the purchase and the sale of liquor for this function or any distributions of money derived from this function or event. All fiscal records will be maintained within the State of Hawaii and these records, including but not limited to, sales records, invoices, and records of distributions of funds, shall be made available for inspection and/or auditing by the Liquor Commission Auditors upon request. Fiscal records shall be preserved for a period of not less than one year, unless so authorized by the Liquor Commission.
8. The Licensee may hire second party caterer(s) for food only (no liquor). Licensee shall submit the "Notification of Second Party Caterer" form #LIQ-LIC-117 with the One-Day Special License Application.

ACKNOWLEDGE RECEIPT AND UNDERSTANDING:



SIGNATURE Director/Authorized Agent

02/24/2022

Date

Dr. Glenn Medeiros

Print Name

President

Title

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (form# LIQ-LIC-106), signed by the Director.

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
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**SUPPLEMENTAL INFORMATION FOR
NON-PROFIT SPECIAL LICENSE**

*Submit this form with the Application for Liquor License form# LIQ-LIC-101
Rule 3-82-32.31*

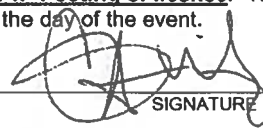
NON-PROFIT FEIN NO. 99-0272260

1. Name of applicant/organization: Saint Louis School
2. Type of organization or club (check one):
☐ Athletic ☐ Political
☐ Charitable ☐ Social
☒ Educational ☐ Other (Specify): _____
3. Purpose of the event: Saint Louis School Grape Escape Fundraiser
How will this event benefit the applicant? Proceeds to benefit Saint Louis School
4. Purpose of your organization: Educational
5. Address and location of event: Saint Louis School, Clarence T.C. Ching Athletic Center and SLS Baseball Field
3142 Waialae Avenue Honolulu, Hawaii 96816
6. The event will be held on Saturday April 23 2022
Day of the Week Month & Day Year
Hours of the Event: from 5:00 pm to 10:00 pm
7. Number of persons expected to attend: 400
8. Will advanced tickets be sold: ☒ Yes ☐ No Cost of Tickets: \$ 625.00 (each)
How will monetary profits be distributed? Business Office
9. (If applicable) Entertainment will be provided by: Local musicians
Are any entertainers under 18 yrs. of age? ☐ Yes ☒ No If "yes", please attach a list of minors, their age, birthdates, and parental/guardian consent giving permission for minors to entertain on the premises.
Name of adult responsible for minors during performance on the premises: _____
10. Person in charge of the event: Richard S.K. Gonsalves Alumni Relations and Special Events
Print Name Position/Title

Will a third party be involved in operating this event? ☐ Yes ☒ No Phone #: _____

Consent of Landlord. The Landlord Authorization for Sale & Service of Liquor (form# LIQ-LIC-142) is required as part of the application. All applicants must abide by all liquor laws of the State of Hawaii and the Rules of the Liquor Commission of the City and County of Honolulu pertaining to a Special license:

Section 281-71. Posting of license. The Special License must be posted and exposed to view on the premises, convenient for inspection on the day of the event.


SIGNATURE Director/Authorized Agent 2/24/2022
Date
Dr. Glenn Medeiros
PRINT Director/Authorized Agent President
Title

Note: If submission by Authorized Agent, please submit a Letter of Authorization or Notification of Authorized Agent (form# LIQ-LIC-106), signed by the Director.

OFFICE USE:

☐ Approved ☐ Denied ☐ Referred

LCIS ENTRY DATE: _____ HLC STAFF Initial: _____
HLC Signature _____ Date _____

One-Day Special License #: _____

INTERNAL REVENUE SERVICE
DISTRICT DIRECTOR
P O BOX 2350 ROOM 5127 ATTN: E.O.
LOS ANGELES, CA 900532350

DEPARTMENT OF THE TREASURY
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2022 FEB 25 P 3:50

Date: NOV. 30, 1990

SAINT LOUIS SCHOOL
3142 WAIALAE AVE
HONOLULU, HI 96816

Employer Identification Number:
99-0272260
Case Number:
950081148
Contact Person:
KNIGHT, EARL
Contact Telephone Number:
(213) 725-6619

Accounting Period Ending:

June 30

Form 990 Required:

No

Addendum Applies:

No

Dear Applicant:

Based on information supplied, and assuming your operations will be as stated in your application for recognition of exemption, we have determined you are exempt from Federal income tax under section 501(a) of the Internal Revenue Code as an organization described in section 501(c)(3).

We have further determined that you are not a private foundation within the meaning of section 509(a) of the Code, because you are an organization described in sections 509(a)(1) and 170(b)(1)(A)(ii).

If your sources of support, or your purposes, character, or method of operation change, please let us know so we can consider the effect of the change on your exempt status and foundation status. In the case of an amendment to your organizational document or bylaws, please send us a copy of the amended document or bylaws. Also, you should inform us of all changes in your name or address.

As of January 1, 1984, you are liable for taxes under the Federal Insurance Contributions Act (social security taxes) on remuneration of \$100 or more you pay to each of your employees during a calendar year. This does not apply, however, if you make or have made a timely election under section 3121(w) of the Code to be exempt from such tax. You are not liable for the tax imposed under the Federal Unemployment Tax Act (FUTA).

Since you are not a private foundation, you are not subject to the excise taxes under Chapter 42 of the Code. However, you are not automatically exempt from other Federal excise taxes. If you have any questions about excise, employment, or other Federal taxes, please let us know.

Donors may deduct contributions to you as provided in section 170 of the Code. Bequests, legacies, devises, transfers, or gifts to you or for your use are deductible for Federal estate and gift tax purposes if they meet the applicable provisions of Code sections 2055, 2106, and 2522.

Letter 947(CG)

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2022 FEB 25 P 3:50

-2-

SAINT LOUIS SCHOOL

Contribution deductions are allowable to donors only to the extent that their contributions are gifts, with no consideration received. Ticket purchases and similar payments in conjunction with fundraising events may not necessarily qualify as deductible contributions, depending on the circumstances. See Revenue Ruling 67-246, published in Cumulative Bulletin 1967-2, on page 104, which sets forth guidelines regarding the deductibility, as charitable contributions, of payments made by taxpayers for admission to or other participation in fundraising activities for charity.

In the heading of this letter we have indicated whether you must file Form 990, Return of Organization Exempt From Income Tax. If Yes is indicated, you are required to file Form 990 only if your gross receipts each year are normally more than \$25,000. However, if you receive a Form 990 package in the mail, please file the return even if you do not exceed the gross receipts test. If you are not required to file, simply attach the label provided, check the box in the heading to indicate that your annual gross receipts are normally \$25,000 or less, and sign the return.

If a return is required, it must be filed by the 15th day of the fifth month after the end of your annual accounting period. A penalty of \$10 a day is charged when a return is filed late, unless there is reasonable cause for the delay. However, the maximum penalty charged cannot exceed \$5,000 or 5 percent of your gross receipts for the year, whichever is less. This penalty may also be charged if a return is not complete, so please be sure your return is complete before you file it.

You are not required to file Federal income tax returns unless you are subject to the tax on unrelated business income under section 511 of the Code. If you are subject to this tax, you must file an income tax return on Form 990-1, Exempt Organization Business Income Tax Return. In this letter we are not determining whether any of your present or proposed activities are unrelated trade or business as defined in section 513 of the Code.

You need an employer identification number even if you have no employees. If an employer identification number was not entered on your application, a number will be assigned to you and you will be advised of it. Please use that number on all returns you file and in all correspondence with the Internal Revenue Service.

Revenue Procedure 75-50, published in Cumulative Bulletin 1975-2 on page 587, sets forth guidelines and recordkeeping requirements for determining whether private schools have racially nondiscriminatory policies as to students. You must comply with this revenue procedure to maintain your tax-exempt status.

If we have indicated in the heading of this letter that an addendum applies, the enclosed addendum is an integral part of this letter.

Because this letter could help resolve any questions about your exempt

Letter 947(CG)

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2022 FEB 25 P 3: 50

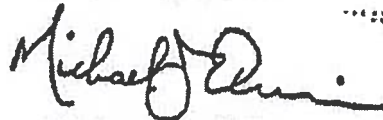
-3-

SAINT LOUIS SCHOOL

status and foundation status, you should keep it in your permanent records.

If you have any questions, please contact the person whose name and telephone number are shown in the heading of this letter.

Sincerely yours,

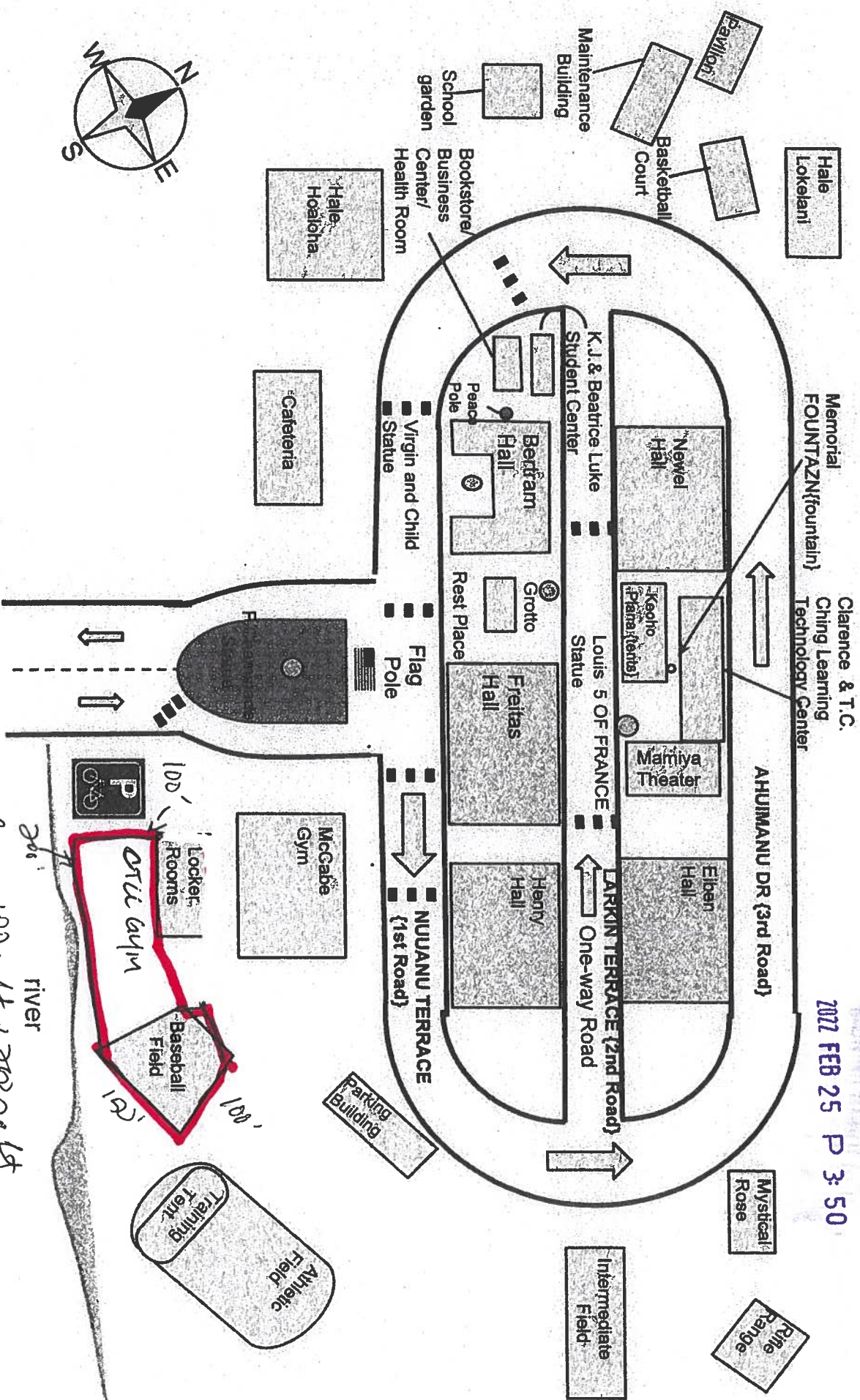
A handwritten signature in dark ink, appearing to read "Michael J. Quinn". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Michael J. Quinn
District Director

Letter 947(CG)

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2022 FEB 25 P 3:50



Gym: 100' x 200' x 200'
Baseball Field: 100' x 150' x 150'

LICENSING INVESTIGATIVE REPORT

DATE: March 2, 2022

SUBJECT: Transfer Application No. 22-24059 from Hook'd Pan Roast LLC dba Hook'd Pan Roast for a Dispenser General (Category 4: Hostess) License at the current location of HNLTime Liquor LLC dba Hook'd Pan Roast, Dispenser General (Category 4: Hostess) License located at 1035 Kapiolani Blvd., Honolulu HI 96814 (E1271)

NOTIFICATION OF AUTHORIZED AGENT:

In form LIQ-LIC-106, Notification of Authorized Agent, dated October 29, 2021 and received by the commission November 15, 2021, Hook'd Pan Roast LLC authorizes Robin Melchor to represent them in all liquor related matters.

COMPANY STRUCTURE:

Hook'd Pan Roast LLC: Organized and registered under the laws of the State of Hawaii on April 15, 2021 as a Member-Managed limited liability company and is currently in good standing.

The Members are:

		<u>Interest</u>
Windham Holdings Corp	Member	60%
Brown, Chase	Member	30%
<u>Takahashi, Wynn</u>	<u>Member</u>	<u>10%</u>
	Total	100%

See **Exhibits A** for biographical information for the principals. HCJDC Criminal checks are negative for felony convictions. CJIS Computer System checks for felony convictions are negative.

Windham Holdings Corp: Incorporated and registered under the laws of the State of Hawaii on April 28, 2021 and is authorized to issue 1,000 common shares, whereas 1,000 shares have been issued.

The Sole Officer, Director, and Shareholder is:

		<u>SHARES</u>	<u>PERCENT</u>
<u>Windham, Jon</u>	<u>P/T/S/D/SH</u>	1,000	100%
	Total	1,000	100%

FINGERPRINTS:

Chase Brown and Wynn Takahashi were fingerprinted by "Fieldprint Services" on a December 2, 2021. Results are negative for felony convictions.

FINANCIAL STATEMENT OF HOOK'D PAN ROAST LLC AS OF SEPTEMBER 2, 2021:

Applicant submitted a Financial Statement dated October 29, 2021, and received by the Commission November 15, 2021 and certified by the applicant to be substantially correct.

TEMPORARY APPLICATION FILED:

The applicant filed for a Temporary Liquor License, Application 22-24058 on November 15, 2021. The Temporary Liquor License was approved by the Commission on January 22, 2022.

TRADE NAME:

The applicant has filed a State of Hawaii Department of Commerce and Consumer Affairs Registration of Trade Name. The name "Hook'd Pan Roast" is assigned to the applicant from September 2, 2021 to September 1, 2026.

BILL OF SALE:

An executed document titled "Bill of Sale," dated October 30, 2021, was provided by the applicant. HNLTIME Liquor LLC (Seller) enters into a sales agreement with the applicant, Hook'd Pan Roast LLC (Purchaser), where-as the Seller wishes to sell all assets of the business "Hook'd Pan Roast" and to the Purchaser agrees to purchase said assets for a sum of \$10.00.

INVESTIGATION:

According to the applicant's authorized representative, Robin Melchor there are no additional documents (Asset Purchasing Agreement, Purchase Agreement, Escrow Documents, etc) in relation to the transfer of the business from HNLTTime Liquor LLC dba Hook'd Pan Roast to Hook'd Pan Roast LLC dba Hook'd Pan Roast. According to the lease dated May 1, 2021, between HNLTTime Liquor LLC (Landlord) and Hook'd Pan Roast LLC (Tenant) and by verbal statements made by Wynn Takahashi, possession and control of the premises occurred prior to the signing of the new lease on May 1, 2021.

LICENSE IN EFFECT FOR MORE THAN ONE YEAR:

Liquor Commission records reveal that the current Dispenser license has been in effect from July 3, 1995 and is currently on a temporary license.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The premises is located at 1035 Kapiolani Blvd., Honolulu.

Details of premises: The licensed premises is irregularly shaped single-story structure.

- Approximately 2,195 total square footage (54 ft x 48 ft)
- Two (2) Stand-Alone Bars
- Restrooms located within the licensed premises
- Kitchen: 23 ft x 13 ft (approx. 299 sq. ft.)
- Storage room/ Office: 11 ft x 9 ft (approx. 99 sq. ft.)

See **Exhibit B** for floor plan.

Parking: Parking stalls available in the parking lot. Street parking and the surrounding public parking lots are available.

REASON FOR THE TRANSFER:

According to the applicant the reason for the transfer is the landlord currently operates the business, however does not have the time and requests to transfer the business.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of business:

- Dispenser-serving new age cooking techniques for contemporary dining
- 15 employees / 4 registered Managers
- Hours of Operation: Mon – Thurs 5:00pm to 10:00pm
Fri – Sat 5:00pm to 12:00am
Sun 10:00am to 10:00pm
(Subject to Change)

Lease: A Lease between HNLTime Liquor LLC (Landlord) and Hook'd Pan Roast LLC (Tenant) dated May 1, 2021 for a term of 36 months, beginning **May 1, 2021** until May 1, 2024, has been received by the Commission.

Preliminary Inspection: On January 14, 2022, a preliminary inspection was conducted. The current layout does match the submitted floor plan.

PENDING VIOLATIONS:

None

OTHER LIQUOR LICENSED INTERESTS:

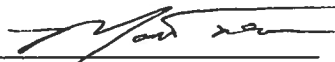
None

ZONING CLEARANCE:

An approved zoning clearance from the Hawaii Community Development Authority has been received. Use is permitted.

OPINION:

In my opinion, the applicant has met the minimum requirements of filing this application. However, it appears that the business has been transferred prior to Commission approval was obtained.


Matthew Foster
Licensing Investigator

Reviewed by:


Daniel Sato
Supervising Investigator

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
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PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME TAKAHASHI, WYNN M.M.M. SOCIAL SECURITY NO. _____
 (Last, First Middle Maiden)

RESIDENTIAL ADDRESS _____ APT. NO. _____

CITY _____ STATE _____ ZIP CODE _____

BUS. PH (____) _____ MOBILE PH (____) _____ EMAIL _____

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
 (City, State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL _____ YEAR COMPLETED 1999 (GED)

NAME OF HIGH SCHOOL Kaimuki High School, Honolulu, HI
 (include City and State)

NO. OF YEARS COMPLETED IN COLLEGE N/A YEAR COMPLETED _____

NAME OF COLLEGE _____
 (include City and State)

OTHER EDUCATION / YEAR(S) ATTENDED _____

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
 *If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.

EMPLOYMENT RECORD (from the time school was completed to present; also indicate any periods of unemployment):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
6/1999	4/2000	Sales	Louis Vuitton	Waikiki, HI
4/2000	6/2002	Coordinator	Magic Island Productions	Waikiki, HI
7/2002	3/2003	Server	Tiki's Bar & Grill	Waikiki, HI
4/2003	3/2008	unemployed		Japan
4/2008	5/2010	Server	Paradiso	Waikiki, HI
6/2010	3/2014	unemployed		Japan
4/2014	8/2017	Sales	Pull In	Waikiki, HI
6/2016	1/2019	Sales	James ABC	Waikiki, HI
10/2018	2/2019	Sales	Kicks HI	Honolulu, HI
3/2019	3/2021	unemployed		Honolulu, HI
4/2021	present	Member	Hook'd Pan Roast	Honolulu, HI

(If additional space is needed, please attach a separate sheet)

NOTARY INITIAL: _____

List your experience in the liquor industry: 5+ years

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2021 NOV 15 P 12:50

Will you devote time to manage the subject business? ☒ YES ☐ NO

If answer is "YES", will it be ☒ FULL TIME, or ☐ PART-TIME?

I, WYNN TAKAHASHI, of _____
(Print Applicant's Full Name) (Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that I
(☐ have or ☒ have not) been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

SS.

On this 29th day of October, in the year of 2021, personally appeared
WYNN TAKAHASHI

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/~~she/they~~ executed the same in his/~~her/their~~ authorized capacity(ies), and that by his/~~her/their~~ signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

29th day of October, 2021

Signature of Notary

Print Name: ROBIN MELCHOR
Notary Public, State of Hawaii

My commission expires 3.30.2024

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: 10.29.2021 # of Pages: 2

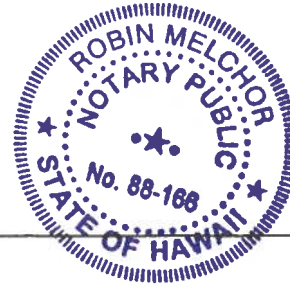
Notary Name: ROBIN MELCHOR 1st Circuit

Doc. Description: Personal History and Affidavit

Notary Signature

10.29.2021
Date

(Place Notary Stamp or Seal here)



LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
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2021 NOV 15 P 12:57

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME BROWN, CHASE R.M.M. AKAMINE SOCIAL SECURITY NO. _____
 (Last, First Middle Maiden)

RESIDENTIAL ADDRESS _____ APT. NO. _____

CITY _____ STATE _____ ZIP CODE _____

BUS. PH (____) _____ MOBILE PH (____) _____ EMAIL _____

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE ____ MARITAL STATUS ____
 (City, State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR COMPLETED 2009

NAME OF HIGH SCHOOL Mililani High School, Mililani, HI
 (include City and State)

NO. OF YEARS COMPLETED IN COLLEGE N/A YEAR COMPLETED _____

NAME OF COLLEGE _____
 (include City and State)

OTHER EDUCATION / YEAR(S) ATTENDED _____

CITIZENSHIP* _____ DATE ARRIVED IN HAWAII (if applicable) _____
**If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.*

EMPLOYMENT RECORD (from the time school was completed to present; also indicate any periods of unemployment):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
6/2009	3/2010	Pastor	CCLM	Mililani, HI
3/2010	8/2013	Manager	Hutsby	Aiea, HI
9/2013	1/2014	Sales	Oceanic Cable	Pearl City, HI
2/2014	6/2019	Sales	TCA Auto	Waipahu, HI
7/2019	present	Owner	Scoops HI	Honolulu, HI

(If additional space is needed, please attach a separate sheet)

NOTARY INITIAL: _____

List your experience in the liquor industry: _____

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2021 NOV 15 P 12:57

Will you devote time to manage the subject business?

☒ YES ☐ NO

If answer is "YES", will it be ☒ FULL TIME, or ☐ PART-TIME?

I, CHASE BROWN

(Print Applicant's Full Name)

, of _____

(Residential Address, City, State, Zip Code)

being first duly sworn, deposes, and says, that the above information is true and correct and that I
(☐ have or ☒ have not) been convicted of any felony charge.



FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

} SS.

On this 29th day of October, in the year of 2021, personally appeared
CHASE BROWN

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/~~she~~ they executed the same in his/~~her~~ their authorized capacity(ies), and that by his/~~her~~ their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed to before me this:

29th day of October, 2021

Signature of Notary

Print Name: ROBIN MELCHOR
Notary Public, State of Hawaii

My commission expires

3.30.2024

(Place Notary Stamp or Seal here)



NOTARY CERTIFICATION

Date of Doc: 10.29.2021 # of Pages: 2

Notary Name: ROBIN MELCHOR 19 Circuit

Doc. Description: Personal History and Affidavit

Notary Signature

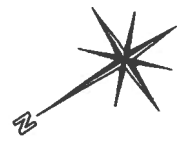
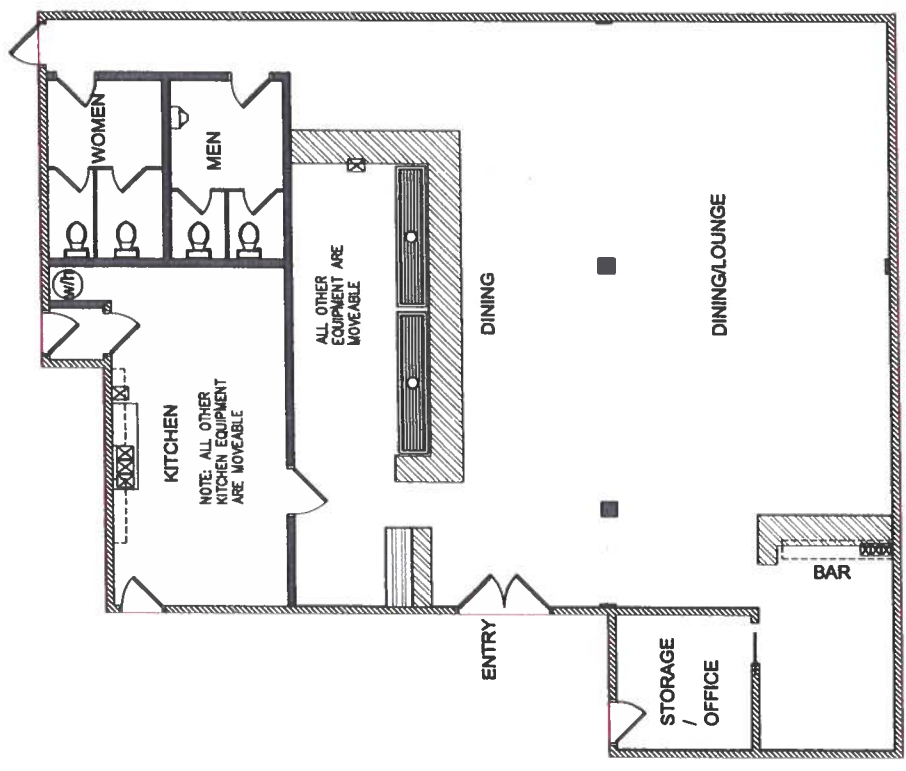
10.29.2021
Date

(Place Notary Stamp or Seal here)



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2021 NOV 15 P 12:51

KAPIOLANI BLVD.

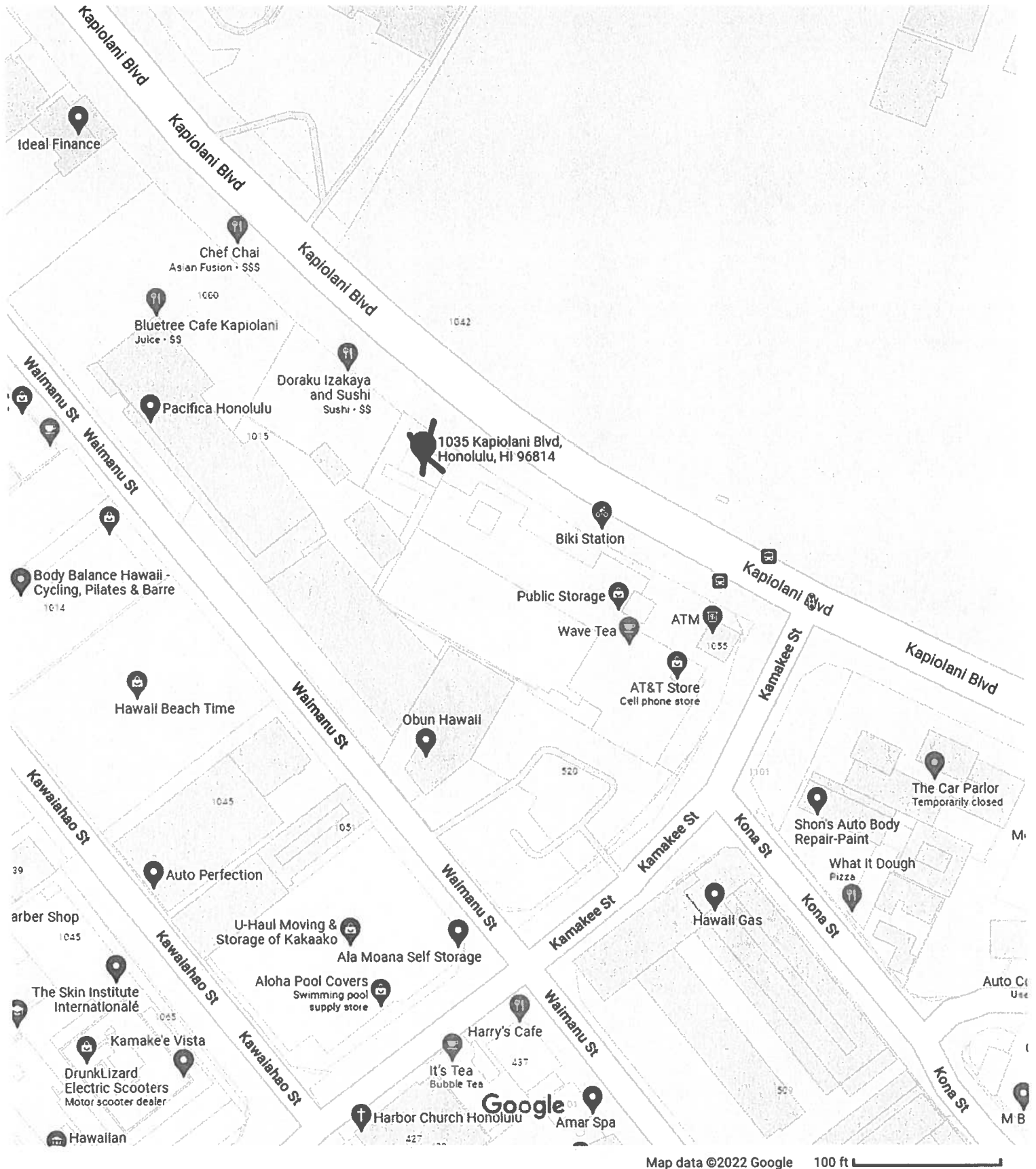


A FLOOR PLAN
SK-1 SCALE: 1/8" = 1'-0"

8' 4' 0' 8'
SCALE: 1/8" = 1'-0"

HOOK'D PAN ROAST
1035 KAPIOLANI BLVD.
HONOLULU, HI 96814
TMK: 2-3-003:074
Date: AS NOTED
Scale: AS NOTED
Drawn: B.K.
Sheet No. 1 of 1
SK-1
Drawn

Google Maps 1035 Kapiolani Blvd



LICENSING INVESTIGATIVE REPORT

DATE: March 3, 2022

SUBJECT: New Application No. 21-23270 from H Mart Kakaako, LLC, dba H Mart, for a Retail General, license, at 850 Kamehameha HWY, Ste. 230, Pearl City, HI, 96782

LIMITED LIABILITY COMPANY STRUCTURE:

H MART KAKAAKO, LLC: Organized under the laws of the State of Hawaii on December 13, 2017, as a manager-managed limited liability company, the member and manager are:

<u>NAME:</u>	<u>TITLE:</u>	<u>%:</u>
H MART, INC.	MEMBER	100%
ILYEON KWON	MANAGER	0%

H MART, INC.: Incorporated under the laws of the State of Delaware on December 5, 2008, its sole officer and stockholders are:

ILYEON KWON	CEO / SEC	80%
ILYEON KWON	TRUST	20%

See **Exhibit A1** for biographical background information of Ilyeon Kwon. CJIS check was conducted on December 9, 2021, and the results were negative for any felony convictions.

AUTHORIZED AGENT:

Through a notification letter to the Commission, dated May 24, 2021, and received by the Commission on May 25, 2021, the applicant authorizes James H. Q. Lee and Thomas J. Wong, to sign all necessary documents regarding the liquor license application.

FINGERPRINTS:

Fingerprint results for Ilyeon Kwon are on file and were negative for any felony convictions. Clearance date 02/20/2020.

FINANCIAL STATEMENT FOR H MART KAKAAGO, LLC: AS OF AUGUST 30, 2020:

Financial Statement of the applicant dated December 02, 2020, was submitted to the Commission on May 25, 2021, and certified by the applicant to be substantially correct.

COST AND FINANCING:

According to the applicant approximately \$11M was spent on construction, furniture, and equipment. Self-financed by parent company.

TRADE NAME:

The trade name "H Mart" is registered to the applicant, H Mart Kakaago, LLC, until December 19, 2022.

- DESCRIPTION OF THE PREMISES:

- Location: The proposed license premises is an irregular shape building, located in the Pearl City Shopping Center, at 850 Kamehameha Highway, Ste. 230, Pearl City.
- Details of premises:
 - ≈180' X 105; (18,900 sq. ft.) Overall
 - Liquor Storage will be within the proposed premises area (Outlined in red)
 - Premises under renovations
 - Unlicensed areas are highlighted in Yellow
 - Service areas
 - Freezer/Food storage areas

- Seating area (food court style)
- Bathrooms
- See **Exhibit B** for floor plan.
- Parking: Shared parking lot is available at the Pearl City Shopping Center.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

Pearl City Elementary School
1090 Waimano Home Road
Pearl City, HI 96782, Approx. 200'

SAME CLASS OF LICENSE WITHIN 500 FEET:

DON QUIJOTE (USA) CO., LTD dba DON QUIJOTE (D1141)
850 Kamehameha HWY, Pearl City, HI 96782, Approx. 50'

LONGS DRUGS STORES CALIFORNIA, L.L.C. dba LONGS DRUGS
#9275 (D0237)
850 Kamehameha HWY, Pearl City, HI 96782, Approx. 150'

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of March 1, 2022, there are 528 retail licenses issued within the City and County of Honolulu, of which 496 are retail general.

OTHER RELEVANT MATTERS THAT MAY AFFECT THE ISSUANCE OF THE LICENSE:

Kind of business: The applicant is authorized by its landlord to operate as an Asian Supermarket with a food court.

Employees: There will be a staff of 45 employees, 2 employees will be registered as managers with the Liquor Commission.

Business Hours: 8:00 a.m. to 9:00 p.m. - Daily

Lease: Valid lease in effect to July 12, 2040. Landlord is PCSC, LLC, a Hawaii limited liability company.

HAWAII REVISED STATUTES SECTION 281-56(a) (9) STATEMENT:

As of March 1, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported to staff before the Public Hearing will be forwarded to the Commission for its consideration.

OTHER LIQUOR LICENSE INTERESTS:

H MART KAKA AKO, LLC dba H Mart (D1286)
458 Keawe St., Honolulu, HI 96813
Ilyeon Kwon – Sole Manager 03/11/2020 - Present
H Mart Inc. – Sole Member 03/11/2020 – Present

HISTORY OF VIOLATIONS OF OTHER LIQUOR LICENSE INTERESTS
DURING THE PERIOD OWNER OR OPERATED BY THE PRINCIPALS:

No Violations Found.

NEIGHBORHOOD BOARD NOTIFICATION:

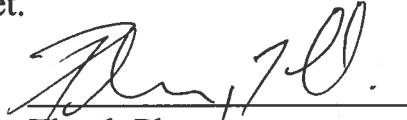
The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. At a minimum, the notification shall include the date of public hearing. **The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.**

ZONING CLEARANCE:


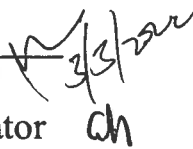
The applicant has submitted a valid Zoning Clearance issued by the City and County of Honolulu Department of Planning and Permitting dated January 13, 2021. Use is permitted.

OPINION:

Statutory requirements have been met.


Thanh Phung,
Licensing Investigator

Reviewed by:


Daniel Sato,
Supervising Investigator 

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/lig

Rule 3-83-53.1

OTHER EDUCATION _____

EMPLOYMENT RECORD (from the time school was completed to present):

[illegible]

NOTARY INITIAL _____

EXHIBIT A

List your experience in the liquor industry: _____

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LIQUOR COMMISSION
C&C OF HONOLULU

2021 MAY 25 A 9 42

Will you devote time to manage the subject business? ☐ Yes ☒ No

If answer is "YES", will it be ☐ Full time, or ☐ Part-time?

I, ILYEON KWON, of _____

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not been convicted of any felony charge.

Signature



FOR NOTARY USE ONLY

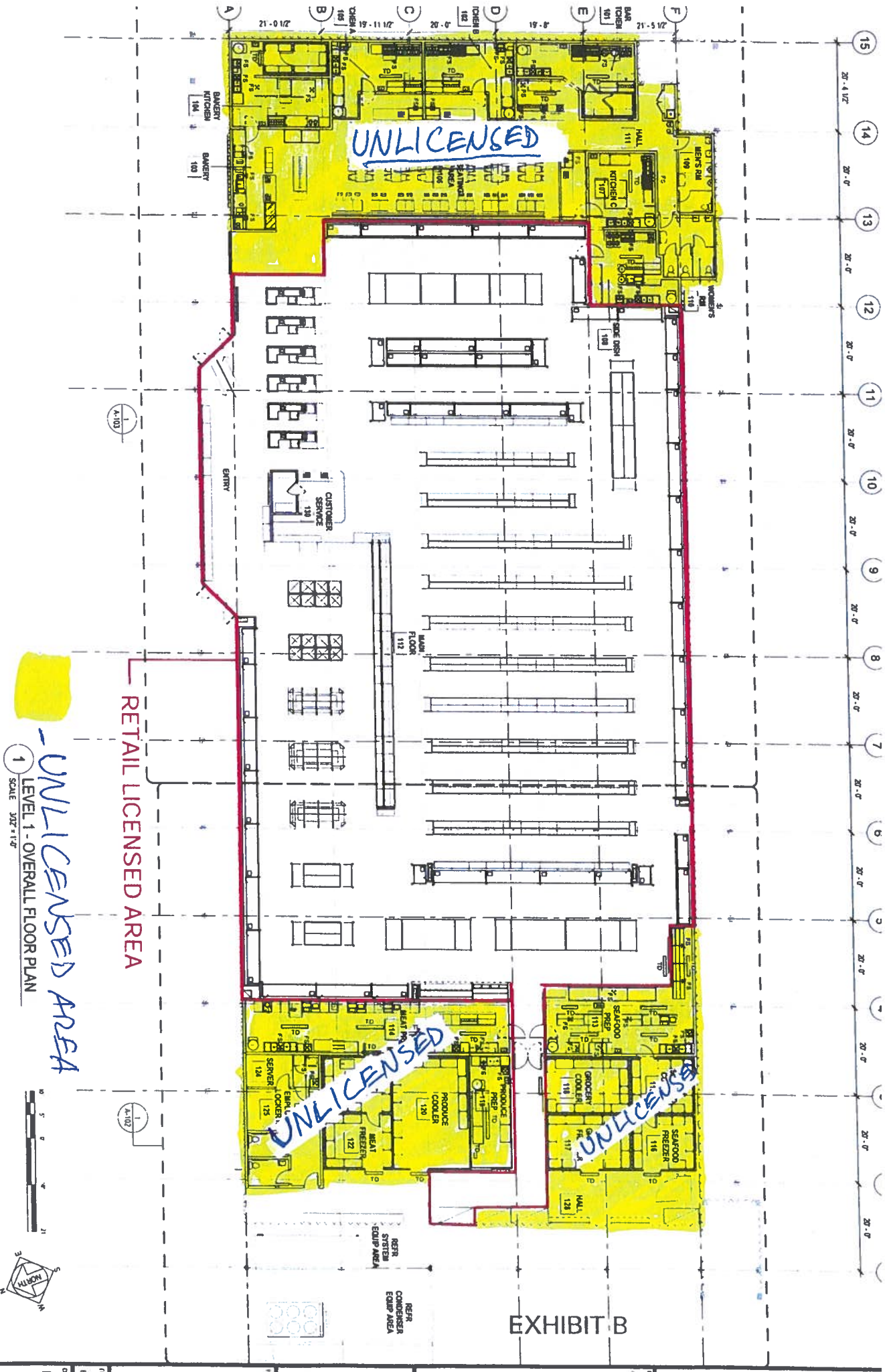
STATE OF HAWAII }
City and County of Honolulu } SS.

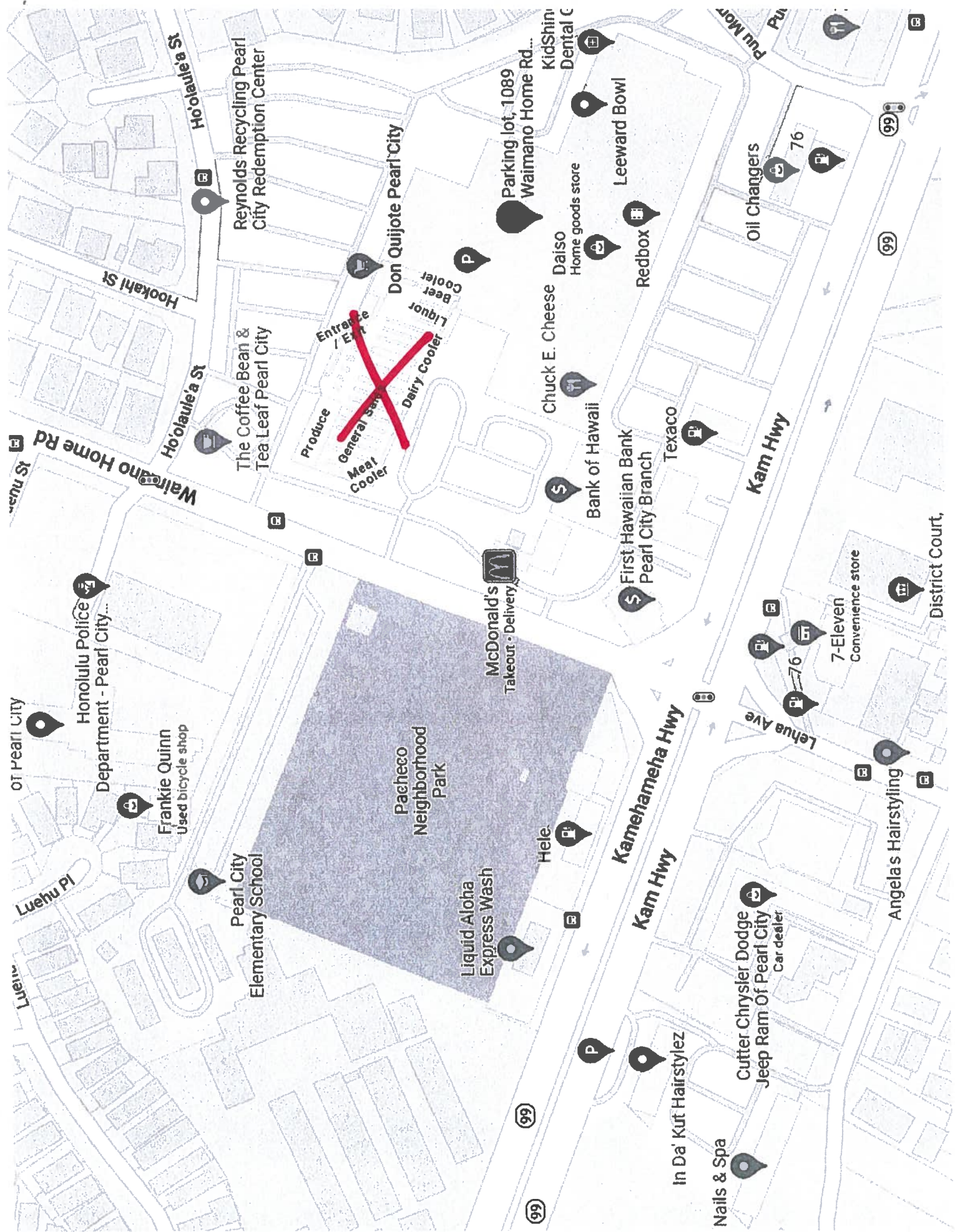
On this 3 day of December, in the year of 2020, personally appeared _____ who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

<p>Signature of applicant(s) before Notary</p> <p>Subscribed and sworn to before me this:</p> <p><u>3</u> day of <u>December</u>, 20<u>20</u></p> <p>Print Name <u>Changkun Chun</u></p> <p>Notary Public, State of <u>Hawaii</u></p> <p>My commission expires <u>7/2/2022</u></p> <p>(Place Notary Stamp or Seal here)</p>	<p>NOTARY CERTIFICATION</p> <p>Date of Doc: <u>12/3/2020</u> # of Pages: <u>2</u></p> <p>Notary Name: <u>Changkun Chun</u> Circuit</p> <p>Doc. Description: <u>Personal History & Affidavit</u></p> <p>Notary Signature _____ Date <u>12/3/20</u></p> <p>(Place Notary Stamp or Seal here)</p>
---	--

CHANGKUN CHUN
NOTARY PUBLIC-STATE OF NEW YORK
No 02CH6377553
Qualified In Queens County
My Commission Expires 07-02-2022

OLULU
A II: 51





LICENSING INVESTIGATIVE REPORT

DATE: February 24, 2022

SUBJECT: New Application No. 22-23774 from Café WBE LLC dba Kakaako Market & Catering for a Retail General liquor license located at 1001 Waimanu St. Suite B Honolulu, HI 96814

COMPANY STRUCTURE:

Café WBE LLC: was organized under the laws of the State of Hawaii on January 20, 2017, as a Member-Managed Limited liability company. The Sole Member of this company is:

	<u>Title</u>	<u>Membership Shares</u>	<u>Ownership:</u>
Nguyen, Hale	Member	1,000	100%
		1,000	100%

See **Exhibit A** for Personal History Affidavit. CJIS computer check is negative for felony convictions.

FINGERPRINTS:

Hale Hue Nguyen-Ma was fingerprinted on August 6, 2021, HCJDC/ FBI checks show negative for felony convictions.

In 2008 the applicant got married and her name was changed to Hale Hue Nguyen-Ma. According to the applicant she divorced 5 months later and thought her name changed back to Nguyen.

The following are also known aliases of the applicant:
Halle Nguyen, Hale Hue Nguyen, and Hale Hue Nguyen-Ma.

FINANCIAL STATEMENT FOR CAFÉ WBE, LLC, AS OF OCTOBER 8, 2021:

Applicant submitted a Financial Statement dated October 8, 2021, and received by the Commission October 12, 2021, and was certified by the applicant to be substantially correct.

COST AND FINANCING:

According to the applicant this is an existing café and catering business and has been operational since 2016. The approximate additional cost to start liquor sales is \$5000.00.

TRADE NAME:

The applicant has filed with the State of Hawaii Department of Commerce and Consumer Affairs, Form T-1, Application for Registration of Trade Name. The name “Kakaako Market & Catering” is registered to the applicant from January 19, 2022 till January 18, 2027.

DESCRIPTION OF THE PROPOSED LICENSED PREMISES:

Location: The proposed premises is located at 1001 Waimanu St. Suite B Honolulu, HI 96814.

- The proposed premises is rectangle in shape and approximately 40ft x 22ft (880 square feet)
- Storage area approximately 8ft x 8 ½ft
- Restroom approximately 7ft x 6ft
- Store/ dining area of approximately 22ft x 15ft
- Kitchen area approximately 15ft x 7 ½ft
- Lounge area approximately 14ft x 14ft

See **Exhibit B** for floor plan.

CHURCH, SCHOOL, OR PUBLIC PLAYGROUND WITHIN 500 FEET:

President William McKinley High School
1039 S. King Street Honolulu, HI 96814, approximately 350 feet from the proposed premises.

Vive Church Honolulu
949 Kapiolani Blvd. Honolulu, HI 96814, approximately 380 feet from the proposed premises.

SAME CLASS OF LICENSE WITHIN 500 FEET:

Kakaako Liquor LLC dba Brix and Stones (D1290)
Retail / General
995 Waimanu St. 2nd Fl. Honolulu, HI 96814
Approximately 172 feet from the proposed premises

CURRENT NUMBER OF SAME CLASS ISSUED WITHIN THE CITY AND COUNTY OF HONOLULU:

As of February 24, 2022, there are 527 Retail licenses issued within the City and County of Honolulu, of which 495 licenses are General/ kind.

OTHER MATTERS PERTAINING TO THE APPLICATION WHICH MAY AFFECT ISSUANCE OF THE LICENSE:

Kind of Business:

- A retail store (Off-premises), **requirements and the parameters of a retail liquor license was clarified with the applicant.**
- Hours of Operation:
9:00am to 7:00pm, Monday - Sunday
- Applicant will have (2) employees, both of which will be registered.

Lease: Nobuo Kiriki and Reiko Kiriki (Landlord) and Halle Nguyen and Antoine Nguyen (Tenant) entered into this agreement on May 27, 2016.

***September 27, 2021, Lease was amended showing Café WBE LLC as Tenant.**

Term: Lease shall be for 5 years commencing June 1, 2016 and expiring May 31, 2021.

***November 15, 2017, term of lease was amended to expire May 31, 2026.**

Use: ...use the premises only for the sole purpose of a shop to sell coffee, fresh juices and fresh sandwiches...

***November 15, 2017, use was amended to include the sale of liquor (beer and wine).**

***September 27, 2021, use was amended to allow the sale of alcoholic beverages**

ZONING CLEARANCE:

According to a document titled "Hawaii Community Development Authority Request for Zoning Clearance" dated August 25, 2021, permits the commercial use within the Central Kakaako area.

HAWAII REVISED STATUTES SECTION 281-56(a)(9) STATEMENT:

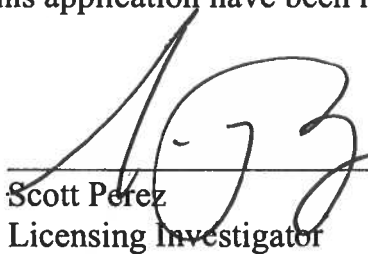
As of February 24, 2022, there are no known potential adverse effects on the surrounding community specific to the premises. All potential adverse effects reported staff before the Public Hearing will be forwarded to the Commission for its consideration.

NEIGHBORHOOD BOARD NOTIFICATION:

The applicant shall directly notify the chair of the neighborhood board in which the applicant's place of business is located, in writing and delivered by certified mail, return receipt requested. The return receipt from the certified mailing shall be submitted to the Liquor Commission before a liquor license is issued.

OPINION:

Statutory requirements of this application have been met.

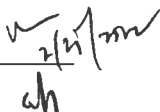


Scott Perez
Licensing Investigator

Reviewed by:



Daniel Sato
Supervising Investigator


2/27/22
wh

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
 711 KAPIOLAN BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
 PHONE (808) 768-7300 • FAX (808) 768-7311
 INTERNET ADDRESS: www.honolulu.gov/ha

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2021 AUG 27 PM 2:34

PERSONAL HISTORY AND AFFIDAVIT

Rule 3-83-53.1

NAME Nguyen Hale Hue SOCIAL SECURITY NO. _____
Last First Middle Maiden

HOME ADDRESS _____ APT. NO. _____ TELEPHONE NOS.: _____
HOME BUS.

CITY _____ STATE _____ ZIP CODE _____

PLACE OF BIRTH _____ DATE OF BIRTH _____ AGE _____ MARITAL STATUS _____
(City/State) (MM/DD/YYYY)

NO. OF YEARS COMPLETED IN HIGH SCHOOL 4 YEAR 1994 NAME OF SCHOOL Farrington High School
COMPLETED 4 (Include City and State) Hon. HI.

NO. OF YEARS COMPLETED IN COLLEGE 2 YEAR 1996 NAME OF COLLEGE Brooks College, Long Beach
COMPLETED 4 (Include City and State) CA.

OTHER EDUCATION Long Beach State University

CITIZENSHIP* U.S. DATE ARRIVED IN HAWAII (if applicable) _____
(If not a U.S. citizen, indicate type of Visa, or Resident Alien Card No., or Immigration Department No.)

EMPLOYMENT RECORD (from the time school was completed to present):

FROM MONTH/YEAR	TO MONTH/YEAR	POSITION	EMPLOYER	LOCATION
1/93	12/93	Sales	Sears Warehouse	Kalihi/Hawaii
3/96	1/97	Sales	Bennett, United	Newport/Calif
1/2000	7/2000	Admin.	Oak Silver	Huntington beach/Calif
2/2003	4/2005	Assistant manager	Neiman Marcus	Honolulu/Hawaii
8/2005	2/2007	Sales	Nordstrom	Seattle/WA
1/2009	2/2015	Owner	Wild Bean	Hon/HI
12/31/2017	2/2021	Owner	Espresso	
		Owner	Cafe Wbe	Hon/HI

(If additional space is needed, please use reverse side)

NOTARY INITIAL _____

List your experience in the liquor industry: _____

Will you devote time to manage the subject business? ☒ Yes ☐ No

If answer is "YES", will it be ☒ Full time, or ☐ Part-time?

HALE NGUYEN

(Full Street Address, City, State, Zip)

being first duly sworn, deposes, and says, that the above information is true and correct and that I ☐ have ☒ have not) been convicted of any felony charge.

Signature



P
R
P
A

FOR NOTARY USE ONLY

STATE OF HAWAII
City and County of Honolulu

SS.

On this 12 day of February in the year of 2021, personally appeared Hale Hue Nguyen - MA who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to within the foregoing instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the aforementioned instrument the person, or the entity upon behalf of which the person(s) acted, executed the aforementioned instrument in free act and deed.

Signature of applicant(s) before Notary

Subscribed and sworn to before me this:

12 day of February, 2021

Signature of Notary

Print Name: LINDA E. SATO
Notary Public, State of Hawaii

My commission expires June 16, 2022

NOTARY CERTIFICATION

Date of Doc: February 12, 2021 # of Pages: 2

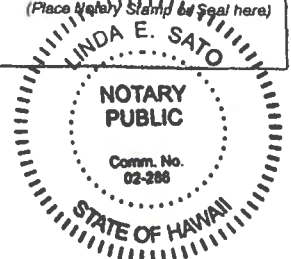
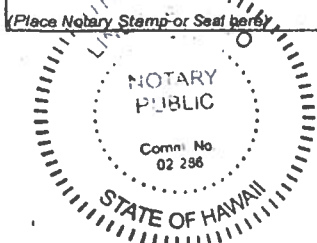
Notary Name: LINDA E. SATO First Circuit

Doc. Description: Personal History Affidavit

Notary Signature

2/12/2021
Date

(Place Notary Stamp and Seal here)



SUPPLEMENT TO HALE NGUYEN'S PERSONAL HISTORY AND AFFIDAVIT

No. of Years Completed in High School
Completed 1994

4

Year

No. of Years Completed in College
Completed 1996

2

Year

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C.C.C. OF HONOLULU
703 AUG 27 PM 2:54

Employment Record

<u>From</u>	<u>To</u>	<u>Position</u>	<u>Employer</u>	<u>Location</u>
1/93	12/93	Sales	Jean's	
		Warehouse	Kalihi, HI	
1/94	2/95	Unemployed		
3/95	1/96	Sales	Benetton United	Newport, CA
2/96	12/99	Unemployed		
1/00	7/00	Administration	Quiksilver	Point ington Beach, CA
8/00	1/03	Unemployed		
2/03	4/05	Asst. Mgr.	Neiman	
		Marcus	Honolulu, HI	
5/05	7/05	Unemployed		
8/05	2/07	Sales	Nordstrom	Seattle, WA
3/07	12/08	Unemployed		
1/09	2/15	Owner	Wild Bean	
		Espresso	Honolulu, HI	
3/15	11/17	Unemployed		
12/17	2/21	Owner	Cafe	
		WBH	Honolulu, HI	

August 27, 2021

HALE NGUYEN

SUPPLEMENT TO HALE NGUYEN'S PERSONAL HISTORY AND AFFIDAVIT

2027 JAN 31 P 12: 57

- No. of Years completed in High School 4 years completed in 1994
- No. of years completed in College 2 years completed in 1996

• Employment Records

From	To	Position	Employers	Location
1/93	12/93	Sales	Jean's Warehouse	Kalihi, HI
1/94	2/95	Unemployed		
3/5	1/96	Sales	Benetton United	Newport Beach, CA
2/96	12/99	Unemployed		
1/00	7/00	Adminstration	Quiksilver	Huntington Beach, CA
8/00	1/03	Unemployed		
2/03	4/05	Assistant Manager	Neiman Marcus	Honolulu, HI
5/05	7/05	Unemployed		
8/05	2/07	Sales	Nordstrom	Seattle, Washington
3/07	12/08	Sales	Nini's Boutique	Kaimuki, HI
1/09	2/15	Self Employed	Wild Bean Espresso	Honolulu, HI
6/16	7/17	Barista	Uptown Café	Honolulu, HI
6/20/16	8/13/18	Bartender	Dumb Coa	Honolulu, HI
11/27/17	8/13/18	Bartender	Kakaako by Night	Honolulu, HI

Hale Nguyen

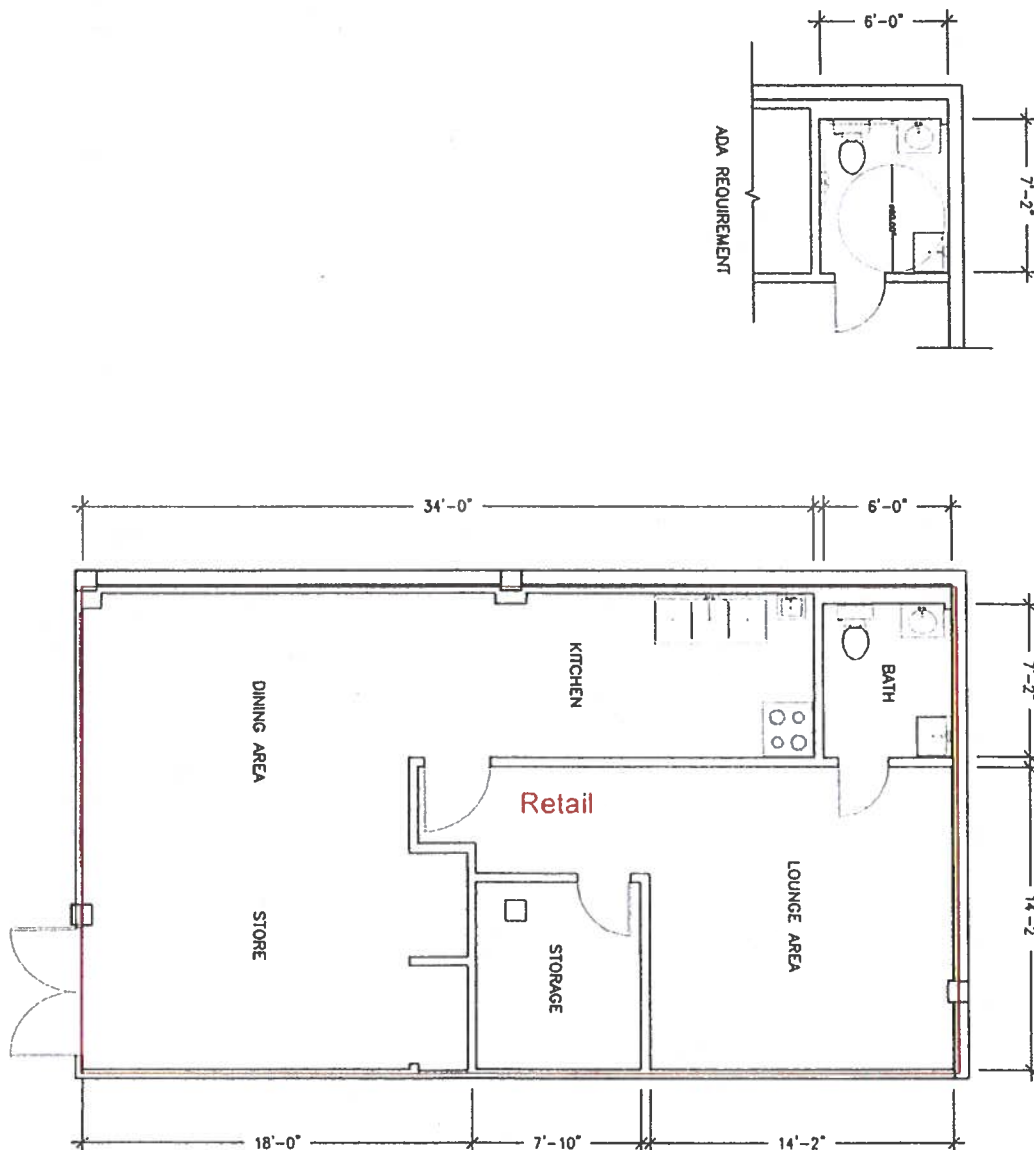
1/31/2022

Reason for not including the last 3 employment of works is because it is no longer exist.
I did not think that I was suppose to include it in my resume.

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2021 AUG 26 PM 2:42

WAIMANU STREET

SCALE: 1/8" = 1'-0"

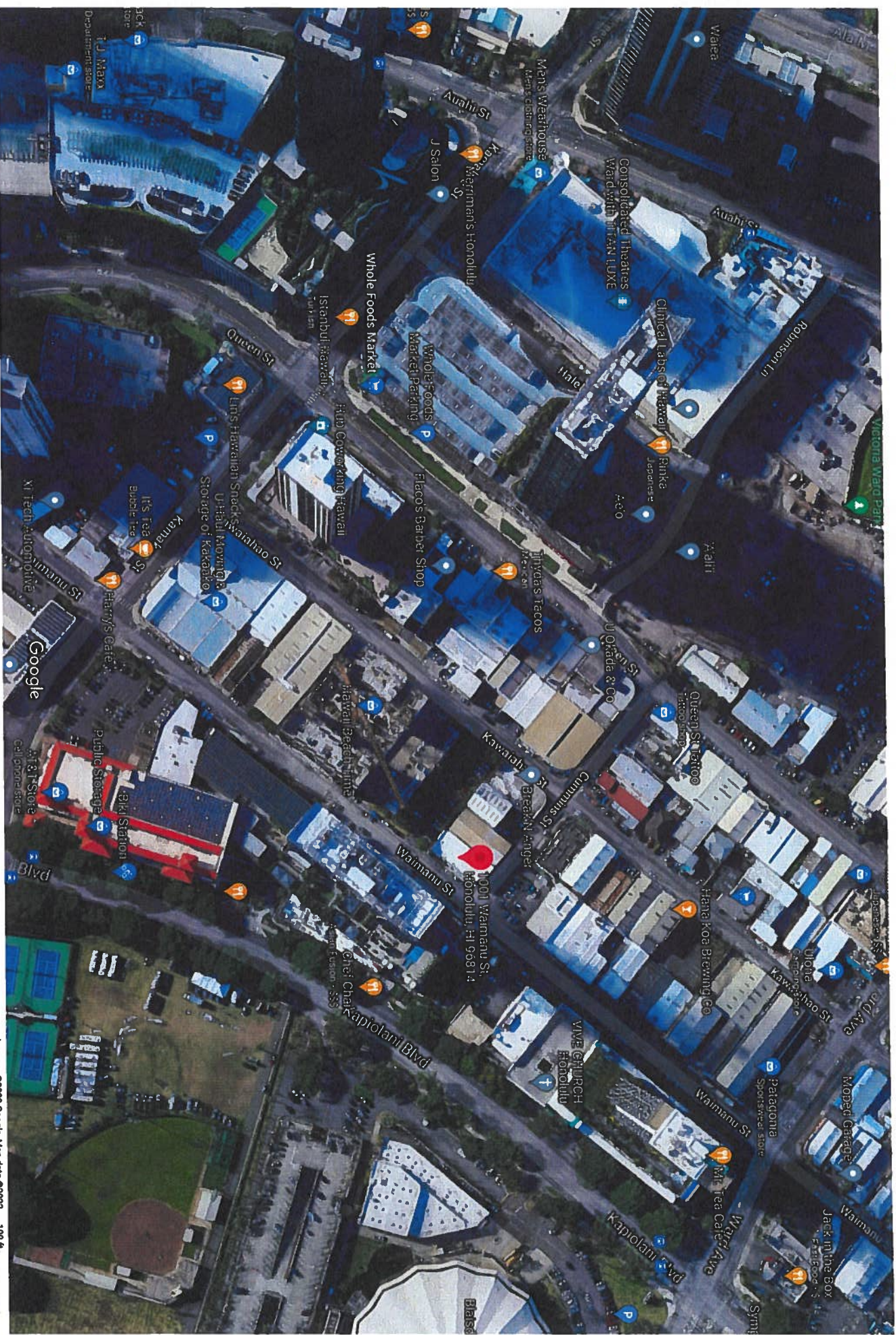


1001 WAIMANU STREET

1001 WAIMANU STREET, HONOLULU, HAWAII 96814

STREET
LEVEL PLAN

EXHIBIT B



LICENSING INVESTIGATIVE REPORT

DATE: February 25, 2022

SUBJECT: Miscellaneous Request No. 21-22785 from Senia LLC, dba Senia, Restaurant General (Category 2: Music/Dancing), License, 75 N. King Street, Honolulu for Commission approval for admission of a new Manager (R1183)

COMPANY STRUCTURE ON FILE:

Senia LLC was organized with the State of Hawaii on October 18, 2015 as a Manager-Managed Limited Liability Company.

Records of the Commission show that as of September 1, 2021, the Manager and Members are:

		<u>PERCENT</u>
Kajioka, Christopher Deron Shigeo	Member/Manager	28%
Senia II LLC	Member	27%
Senia III LLC	Member	45%
	Total	100%

INVESTIGATION:

According to the Department of Commerce and Consumer Affairs, on January 12, 2021, the Manager of Senia LLC was changed to Katherine Nomura and Anthony Rush. According to the authorized representative Neal Gota this change was erroneous and not accurate. Katherine Nomura and Anthony Rush are the Managers of the applicant's parent company, Senia II LLC and the newly appointed Manager, Menagerie Hospitality LLC, and are not the Managers of Senia LLC.

NOTIFICATION:

According to an Articles of Amendment to Change Limited Liability Company Name, from the Department of Commerce and Consumer Affairs, dated January 7, 2019 and received by the Commission January 29, 2021, Senia II LLC changes to Menagerie Hospitality LLC.

NOTIFICATION-CONTINUED:

According to the "Add or Delete Officers/Directors Corporations Only" form LIQ-LIC-103 submitted by authorized representative Neal Gota dated January 28, 2021 and received by the Commission **January 29, 2021**, with the addition of a document titled, "Written Consent Of Members In Lieu of Members' Meeting," on and effective **January 1, 2021**, Christopher Kajioka, is removed as a Manager, with a reduction in membership interest from 28% to 15%, Senia II LLC changes the company name to "Menagerie Hospitality LLC" with an increase in membership interest from 27% to 40% and is appointed as the Manager.

If approved the Manager and Members will be:

		<u>PERCENT</u>
Kajioka, Christopher Deron Shigeo	Member	15%
Menagerie Hospitality LLC	Member/ Manager	40%
<u>Senia III LLC</u>	<u>Member</u>	<u>45%</u>
	Total	100%

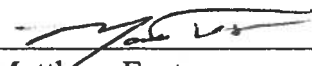
Changes are in **Bold**.

EFFECTIVE DATE OF CHANGE:


According to the "Senia LLC Written Consent Of Members In Lieu of Members' Meeting," minutes the changes of Managers and Members was made effective January 1, 2021.

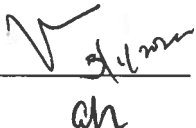
OPINION:

In my opinion, statutory requirements have been met.


Matthew Foster
Licensing Investigator

Reviewed By:


Daniel Sato,
Supervising Investigator


ah

#22-24468

Please place on
Agenda 3/10/22

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LIQUOR COMMISSION
C&C OF HONOLULU
2022 FEB 25 P 1:25

February 22, 2022

The Honolulu Liquor Commission
711 Kapiolani Blvd. #600
Honolulu, HI 96813

Dear Commissioners,

The Honolulu Museum of Art would like to request the renewal of a waiver granted on August 19, 2019, due to expire on August 8, 2022 (attached for reference), to waive the submission of personal history and affidavits, criminal history record clearances, and fingerprinting for all subsequent officers and directors of the Honolulu Museum of Art Board of Trustees. In lieu of these submissions, the Museum will retain signed statements (updated annually) from Board members certifying that they have no felony convictions.

The submission of information and fingerprints for trustees/directors would create undue hardship for the Museum if the rule were strictly implemented due to the number of trustees elected each year and the fact that some members reside in other states.

Thank you for your consideration. If you have any questions or require additional information, please feel free to contact me at 808-532-8717.

Sincerely,



Halona Norton-Westbrook
Director and CEO



**LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU**

711 KAPIOLANI BOULEVARD, SUITE 600, HONOLULU, HAWAII 96813-5249
PHONE (808) 768-7300 • FAX (808) 768-7311
INTERNET ADDRESS: www.honolulu.gov/lq • E-MAIL: lqcom@honolulu.gov

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LIQUOR COMMISSION
C&C OF HONOLULU
2022 FEB 25 P 1:25

KIRK CALDWELL
MAYOR



August 19, 2019

JOSEPH V. O'DONNELL
CHAIRMAN

MARSI A. GANABAN
CO-VICE CHAIR

MALAMA MINN
CO-VICE CHAIR

DARREN Y.T. LEE
COMMISSIONER

DUANE R. MIYASHIRO
COMMISSIONER

FRANKLIN DON PACARRO, JR.
ADMINISTRATOR

ANNA C. HIRAI
ASSISTANT ADMINISTRATOR

US Mail and Email (awong@honolulumuseum.org)

Allison Wong, Authorized Agent
HONOLULU ACADEMY OF ARTS
dba HONOLULU MUSEUM OF ART
900 South Beretania Street
Honolulu, Hawaii 96814

Dear Ms. Wong:

Re: Request No. 20-20207 – Waiver of Requirement to submit Personal History and Affidavit, Criminal History Record Clearance and Fingerprint Card for all subsequent officers and directors on the Board of Trustees - **Approved**
on behalf of HONOLULU ACADEMY OF ARTS
dba HONOLULU MUSEUM OF ART
at 900 South Beretania Street, Honolulu, Hawaii 96814
Restaurant Beer & Wine License R0158

At its hearing on August 8, 2019, the Liquor Commission approved your above-noted request, received July 29, 2019, submitted on behalf of HONOLULU ACADEMY OF ARTS dba HONOLULU MUSEUM OF ART.

This Waiver approval is granted for three (3) years and will expire on August 8, 2022. Please include a copy of this approval letter with all future applications/request relating to the above Waiver.

If you have any questions regarding this matter, please contact Supervising Licensing Investigator Daniel Sato at 768-7340.

Sincerely,

Franklin Don Pacarro, Jr.
for FRANKLIN DON PACARRO, JR.
Administrator

FDP:cc

22-24487

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -4 A 10: 12

FERGUSON'S IRISH PUB

729 Bishop Street
Honolulu, HI. 96813

Please place on
Agenda 3/10/22 *al*

March 4, 2022

**Anna Hirai
Liquor Commission
City & County of Honolulu**

Re: Ferguson's Irish Pub License #E0120 Renewal of Extension

Dear Ms. Hirai,

Please accept this letter as our formal request to renew our previously approved license extension. The footprint, terms, and conditions will remain the same. The period will be for one year from 03/15/2022 – 03/15/2023.

Thank you for your attention in this matter.

If you have any questions please feel free to call me at 754-1502.

Yours truly,



**Don Murphy
President
Ferguson's Irish Pub**

#22-24488



"Where every day is St. Patrick's Day"

RECEIVED
LIQUOR COMMISSION
C&C OF HONOLULU

2022 MAR -4 A 10:12

March 4, 2022

Please place on
Agenda 3/10/22 ah

Anna Hirai
Liquor Commission
City & County of Honolulu

- Re: Murphy's Bar & Grill License #R0887 Renewal of Extension

Dear Ms. Hirai,

Please accept this letter as our formal request to renew our previously approved license extension. The footprint, terms, and conditions will remain the same. The period will be for one year from 03/15/2022 – 03/15/2023.

Thank you for your attention in this matter.

If you have any questions please feel free to call me at 754-1502.

Yours truly,

Don Murphy
President
Murphy's Inc.